ZB# 07-08

Elk's Lodge

79-1-1

ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR 555 UNION AVENUE NEW WINDSOR, N.Y. 12553 Denied 3-26-07

A SECTION OF THE SECT

OFFICE OF THE BUILDING INSPECTOR TOWN OF NEW WINDSOR ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

PLANNING BOARD FILE NUMBER: <u>n/a</u> DATE: <u>2-23-07</u>
APPLICANT:
Elks Lodge of New Windsor
PLEASE TAKE NOTICE THAT YOUR APPLICATION:
DATED: <u>n/a</u>
FOR: SITE PLAN
LOCATED AT: NYS Route 300 - (284 Jempli Hill Rd.)
ZONE: R-5
DESCRIPTION OF EXISTING SITE: SEC: 79 BLOCK: 1 LOT: 1
IS DISAPPROVED ON THE FOLLOWING GROUNDS:
Use Variance for Fraternal Club/Organization not permitted in R-5 zone. For reference
purposes, attached table shows bulk requirements for requested use in NC zone, where it is permitted.
TOWN OF NEW WINDSOR CODE: <u>Bulk Tables – Section 300-8</u>
Michael Babcock Town Building Inspector

NOTICE OF DISAPPROVAL OF PLANNING BOARD APPLICATION - Continued

REQUIREMENTS

P.B. # <u>n/a</u>

ZONE: R-5

USE: Fraternal Club (use not permitted)

REQUIRED BULK VALUES SHOWN ARE FOR NC (for reference only)

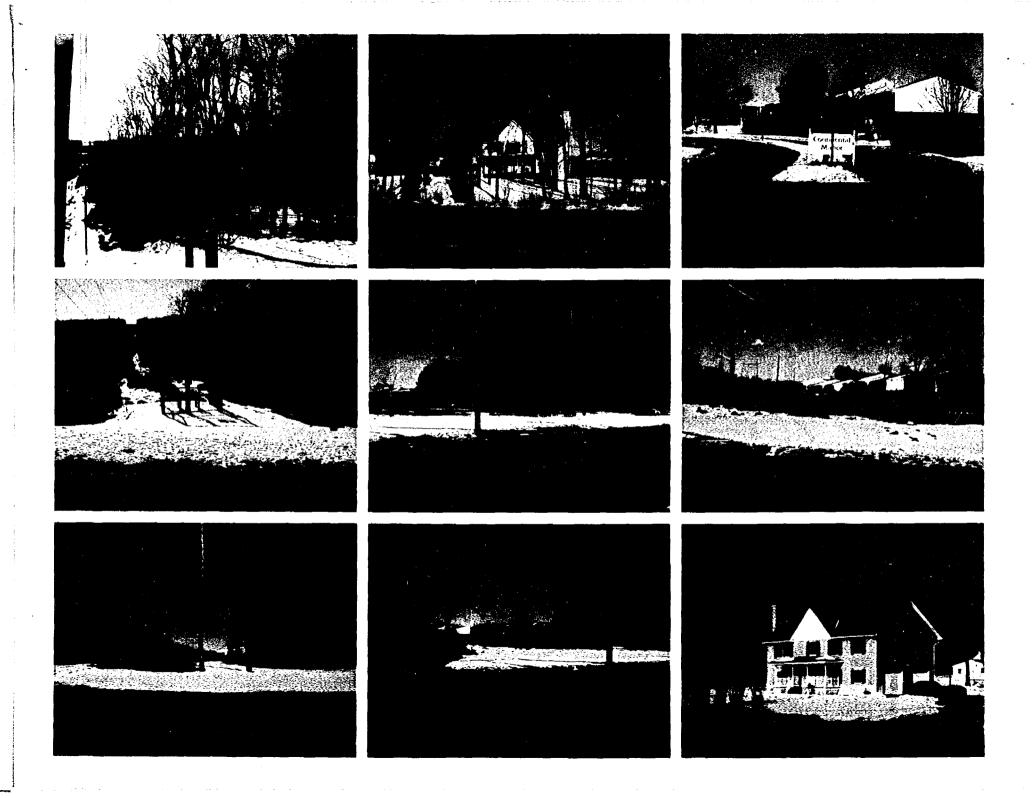
	NC REQUIRED	(PRELIM) PROPOSED	
MIN. LOT AREA (Gross)	10,000 sf	56,201	
MIN. LOT AREA (Net)	6,000 sf	56,201	
MIN. LOT WIDTH	100 ft.	267+	
REQUIRED FRONT YARD	40 ft.	36.4 ft (existing)	
REQUIRED SIDE YARD	15 ft.	30.9	
REQUIRED TOTAL SIDE YARD	35 ft.		
REQUIRED REAR YARD	15 ft.	186.5	
REQUIRED FRONTAGE	n/a	267+	
MAX. BLDG. HT.	35 ft.	<35	
FLOOR AREA RATIO	1	<1	
MIN. LIVABLE AREA	n/a	n/a	
DEVELOPMENTAL COVERAGE	20%	As shown	
O/S PARKING SPACES	1 space/300 sf	As required	

PLEASE COMPLETE THE ENCLOSED ZONING BOARD APPLICATION AND RETURN TO THE ZONING BOARD SECRETARY AS INSTRUCTED IN THE APPLICATION PACKAGE. YOU WILL THEN BE PLACED ON THE NEXT AVAILABLE AGENDA FOR THE ZONING BOARD OF APPEALS.

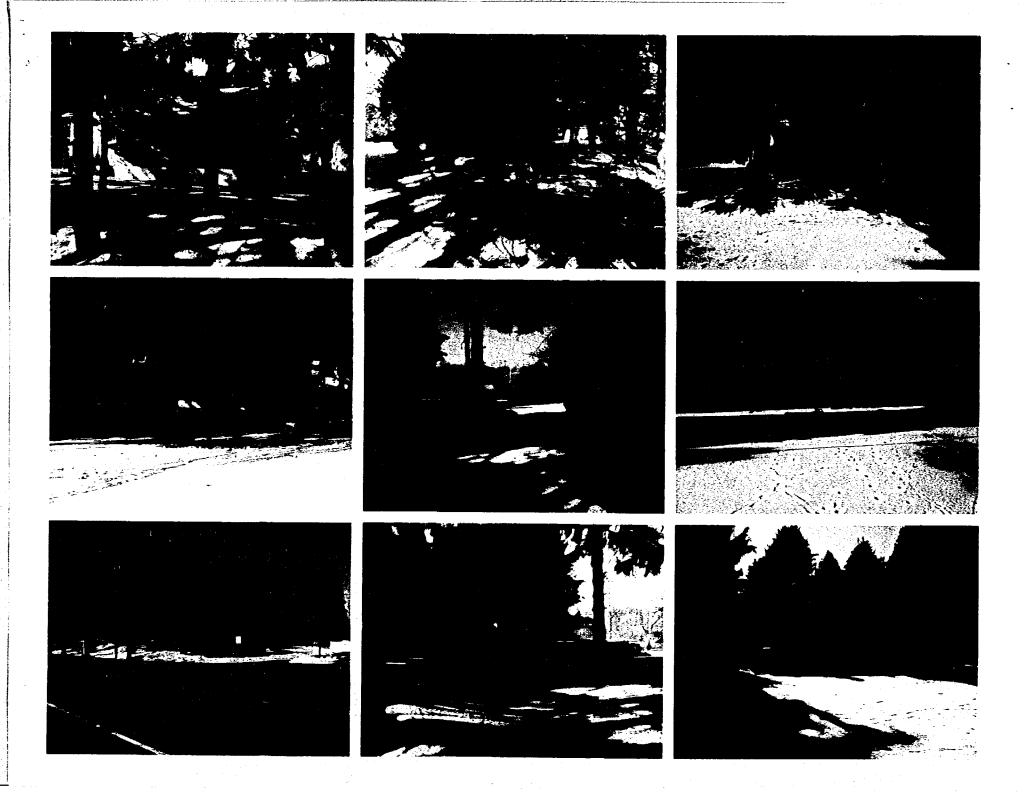
CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

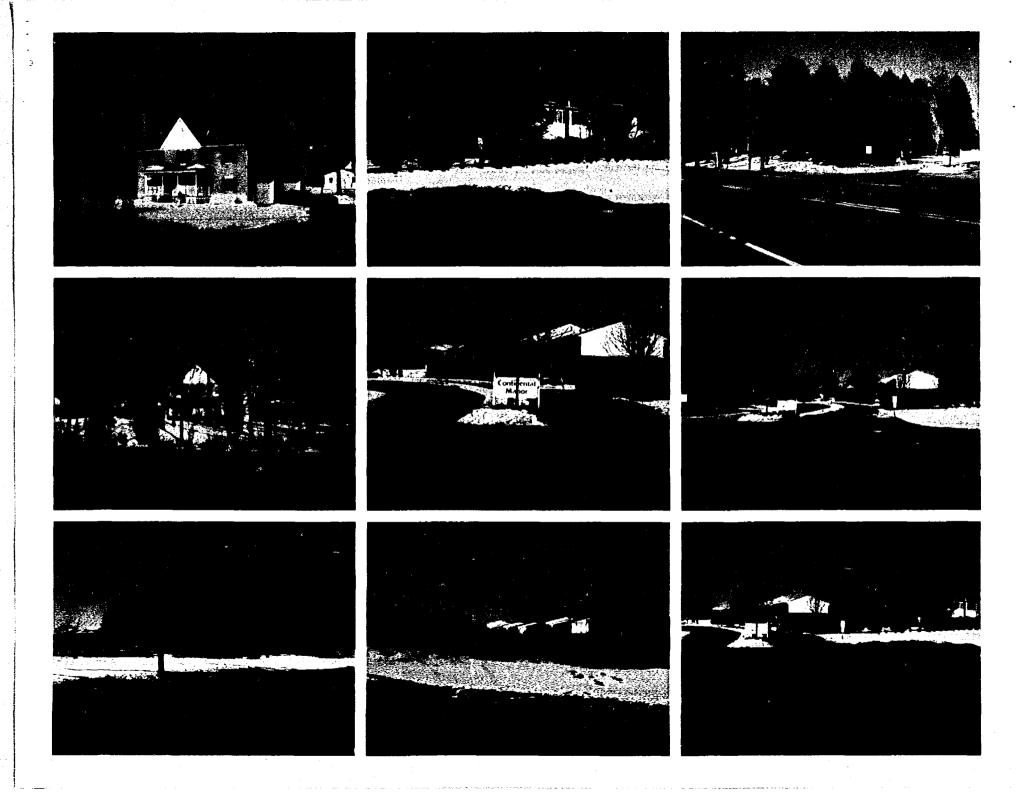
PAGE 2 OF 2













NEW WINDSOR ZONING BOARD OF APPEALS

35-1-65

In the Matter of the Application of

NEWBURGH LODGES OF ELKS #247

MEMORANDUM OF DECISION DENYING USE VARIANCE

#06-08

WHEREAS, THE NEWBURGH LODGE OF ELKS #247, with an address of 286 Temple Hill Road, New Windsor, N.Y. 12553, has made application for a use variance for Fraternal Club/Organization not permitted in R-5 zone at the above address; and

WHEREAS, a public hearing was held on the 26th day of March, 2007 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Joseph Minuta, AIA and Daniel E. Bloom, Esq. appeared on behalf of the Applicant; and

WHEREAS, there were not less than 18 members of the public present; and

WHEREAS, 16 people spoke in opposition to the application and 2 spoke in favor the application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

- 1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in <u>The Sentinel</u>, also required by law.
 - 2. The evidence presented by the Applicant showed that:
- (a) The property consists of a one family home located in a zoning district of one family home. The district is immediately adjacent to an N-C zone and the Applicant seeks to use this facility as a membership headquarters for a Fraternal Club/Organization. The property is located on a busy commercial highway and is immediately in front of and adjacent to a historic property, that being the Cantonment.
- (b) The Applicant intends, if the application is approved, to modify the existing structure.

- (c) The Applicant proposes improvement to the property in two phases. The first phase being for clubhouse use, which would require the construction of not less than 23 parking spaces. The second phase would be the construction of a gazebo and not less than 72 additional parking spaces.
- (d) The Applicant presented to the Board proof that the mortgage and taxes on the existing structure were excessive and that the fair rental value of the property is not more than \$1,900.00 a month, while the mortgage and the tax payment is not less than \$2,966.00 per month.
- (e) The Applicant submitted evidence that the structure will be used for two meetings a month along with possible fund raising activities on a Saturday morning. The Applicant estimates that more than 75 people would the attend the fund raising functions. A number of persons who were members of the public spoke about the very difficulty traffic conditions on the adjacent roadway.
- (f) In response to repeated inquiries of the Applicant whether it would have catering functions available for the use of the members or rental to others, the Applicant answered only that it would not have cooking or food preparation facilities in the structure. The Applicant did not address any of the concerns with respect to catering brought onto the property.
- (g) The Applicant estimates that once Phase 2 where constructed the facility would have a capacity of 216 persons to service which they proposed building a pavilion in the back yard which would be approximately 1,400 sq. ft. in size.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

- 1. It is not shown that the Applicant cannot realize a reasonable return. Evidence was submitted that the use if the property as a single family dwelling was not economically viable the level of proof submitted with respect to the value of the premises for other uses allowed in that zone was not sufficient.
- 2. The alleged hardship relating to the property in question is not unique. The problem that the property faces is shared by ever other property is the same zone.
- 3. The requested use variance if granted will alter the essential character of the neighborhood. The neighborhood is residential in character mixed with the historical uses. The Applicant seeks to introduce a property use which is not in existence in this area and which is different from other uses.
- 4. The alleged hardship has been self created. The Applicant proposes to use the property for a purpose for which it is not currently zoned.

- 5. The Board declares a negative declaration under SEQRA.
- 6. The strict position of the Town of New Windsor Zoning Code will cause hardship to this property, but such hardship is not unnecessary or unique.
- 7. The proposed action will result in a substantial change in the quantity of traffic and noise level by adding substantially to the traffic by using the adjacent commercial highway.
- 8. The proposed action does conflict with the Towns current plant or goals as officially approved and adopted. The Town is in the process creating a new Master Plan on the adoption of which this application may be found to be consistent. With respect to the existing conditions, however, this proposed use of the property will add substantially to the traffic on the adjacent highway and is not consistent with the Town's current plans or goals.
- 9. The action will attract a large number of people to the property. The Applicant's won testimony is that it intends to improve the property to have a capacity of up to 216 persons. The current use of the property as a one family residential property will not attract such a large number of people.
- 10. The application does not mitigate any potential for traffic conflicts. It appears that there will be a significant traffic impact on the adjacent roadway and the Applicant has proposed no means by which this could be mitigated.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor DENIES a an application for a use variance for Fraternal Club/Organization not permitted in R-5 zone at the above address sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHUR

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: August 10, 2007

Chairman

Malus S. Kans

TOWN OF NEW WINDSOR

ZONING BOARD OF APPEALS OFFICE 845-563-4615

MEMORANDUM

TO:

LARRY REIS, COMPTROLLER

FROM:

MYRA MASON, SECRETARY TO THE ZONING BOARD

DATE:

OCTOBER 4, 2007

SUBJECT:

ESCROW REFUND

PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 58.33 TO CLOSE OUT ESCROW FOR:

ZBA FILE #07-08

NAME & ADDRESS:

Newburgh Lodge of Elks #241 394 Riley Road New Windsor, NY 12553

THANK YOU,

MYRA



TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS RECORD OF CHARGES & PAYMENTS



FILE #07-08

TYPE:USE TELEPHONE:

564-7220

APPLICANT:

Kirk Williams for:

Newburgh Lodge of Elks #241

394 Riley Road				
New Windsor, NY 12553				
RESIDENTIAL:	\$ 50.00	CHECK #		
COMMERCIAL	\$ 150.00	CHECK #		
INTERPRETATION	\$ 150.00	CHECK #		
ESCROW: COMMERC	CIAL \$500.00	СН	ECK #6942	
ન નનન નનન	જ જ જ જ		• • •	ાં જ જ જ
DISBURSEMENTS:		MINUTES \$7.00 / PAGE	ATTORNEY <u>FEE</u>	
PRELIMINARY:	9 PAGES	\$_63.00	\$ 35.00	
2 ND PRELIMINARY:	PAGES	\$	\$	
PUBLIC HEARING:	42 PAGES	\$294.00	\$ 35.00	
PUBLIC HEARING:	PAGES	\$	\$	
LEGAL AD: Publish Date:3-10	6-07	\$ <u>14.67</u>		
	TOTAL:	\$ <u>371.67</u>	\$ <u>70.00</u>	
જ જ જ જ જ જ જ	જ જ જ જ	જ જ જ .	ણ ત્યાં ત્ય	ં જ જ જ
ESCROW POSTED:	\$ 500.0	0		
LESS: DISBURSEMEN	TS: \$ <u>441.6</u>	7		
AMOUNT DUE:	\$			
REFUND DUE:	\$ <u>58.33</u>			

Cc:

J.F. 10-04-07

PUBLIC_HEARINGS:

NEWBURGH_LODGE_OF_ELKS_#247_(07-08)

MR. KANE: Request for use variance for Fraternal Club/Organization not permitted in R-5 zone at 286 Temple Hill Road.

Mr. Joseph Minuta appeared before the board for this proposal.

MS. GANN: I might need to recuse myself, I have used Mr. Minuta as an architect for my own personal use recently.

MR. KANE: Does that inhibit you in any way with making a clear decision here or do you feel comfortable making that decision?

MR. KRIEGER: You don't have any financial or other interest in this particular application?

MS. GANN: No, I do not.

MR. KRIEGER: Just happen to know Mr. Minuta, that's all?

MS. GANN: Yes.

MS. LOCEY: I must recuse myself, I'm an adjacent property owner and I'm also president of the Continental Manor 1 Board of Managers.

MR. KANE: I would ask you to step down then for this. Thank you.

(Whereupon, Ms. Locey stepped down from the board for this application.)

MR. KANE: You're okay?

MS. GANN: Yes.

MR. KANE: Thank you for letting us know that. You're on, Joe.

MR. MINUTA: Good evening ladies and gentlemen, my name is Joe Minuta, I'm the architect of record for the project. I'm here to represent Newburgh Elks Lodge number 247 with regard to the application located on Temple Hill Road in the Town of New Windsor. The property's currently being used as a single family residence and apparently they have been trying to sell the property for some time and the Elks Lodge have since sold their own lodge in Newburgh and are looking for a new home. Since the applicant has made an offer to the owner it now becomes a viable solution for the owner to sell his home since they have been trying to do that for I understand to be about a year, should the use be approved, the contract pending would commence and be binding and there would be a sale. Without further ado of that, we have the existing property which is here and this is the existing residence. I have submitted photographs of the existing property that you might want to take a look at. What we're asking for here is a use that's similar to that of an NC zone which is also an adjacent zone to this property which happens to be R-4. What we're looking to do is simply have an understanding that the NC regulations of '89 might be used for this as a fraternal organization since it's in keeping with the type of use and it's adjacency to the zone. We have a phased plan that we're proposing which is to take this existing residence and modify it so we can provide an addition off the back and forecourt in the front which would be a plaza type area with pavers and some steps that would also provide us accessibility for handicapped for both levels. The elk that is the national icon of the Elks Lodge would also be placed in the forecourt at this location. We have provided parking in the first

section of that which we require 23 spaces of which we'd have one handicapped space which would be included, we'd be relocating the existing drive from this location here to approximately 15 to 20 feet north of that, it's very close in proximity. We have ample sight distance in both locations for the existing and the proposed, sight distance to the right is 1,215 feet and to the left is 1,099 feet. With regard to the use, we'd also like to bring to your attention that the building next to the Cantonment actually within the Cantonment that they just placed the Purple Heart Museum was previously used in history as the Masonic Lodge so a lodge within this locale is a precedent. With regard to the Purple Heart Museum, the Elks and the Purple Heart Museum share a heritage if you will as the Elks also have VFW veterans who go to the Elks Lodge, they are in support of Purple Heart recipients and the museum and philanthropic type deeds. The access to the site off of Temple Hill Road to the north we have basically you have the Cantonment and you have other office buildings and industrial type works to the back side, we have the existing condominium complex and to the south we go into Vails Gate. Phase 2 of the project would consist of a pavilion to be located in the rear of the property and it would also have an expansion of parking area and that would not be a paved area rather a geomat if you will that allows grass and green to grow through it. So it would be a greenscape at that location. We have existing power lines that run through the property and nothing can be built under them, actually, the use of the parking area would actually be quite good for its location. There are several items that we need to illustrate a hardship on the property and tonight I have Mr. Dan Bloom of Bloom and Bloom who will be representing those hardship items for the board to understand. Without much else to state on this project, if you have any questions or if the public has any questions, I'd be more than happy to answer them.

MR. KANE: Mr. Bloom?

MR. BLOOM: Thank you. Thank you, Joe. Mr. Chairman, ladies and gentlemen, my name is Dan Bloom of Bloom and Bloom, PC and I'm representing the Elks this evening here on their application. I have Mr. Kirk Williams who's their leader. As Mr. Minuta indicated, I'm going to address the necessary aspects of the application which must be adequately addressed, obviously, if a use variance is going to be granted and I will share with you a little bit of background about the Elks and just to place the application in perspective the Elks go back over 100 years, they are a basic national charter and followed by all the local charters. Their primary goal is the support of veterans throughout the United States in all aspects of their existence. In fact, I'm told by my client that the Elks formed the first veterans' hospital in the United States and I also learned for the first time that the Elks were the impetus or the driving force with the establishment of Flag Day in the United States on a local level. donate to all the local charities regardless of political or religious affiliations but number one are the veterans. And specifically I'm told by Kirk that they take great pride in the fact that they will have particular days that they will go over to Castle Point, take the veterans out, take them to ball games and what have you, truly charitable on a hands-on local level. With that background now of course now we have to address this particular application and as Joe alluded to before, my client is here this evening because they have signed a contract, the contract to buy this piece of property and the contract is subject to their receiving the necessary use variance this evening. at the end of the application, I will present it to the board for your records, Mr. Chairman. I'd like to indicate that obviously it's in an R-5 zone but the first question we have to deal with is whether is there any permitted use in the R-5 zone that would work in this particular situation. And very briefly, I'd just

like to scan R-5 by indicating another permitted use would be commercial, agricultural, another would be field and garden crops, Town buildings, recreational facilities, places of worship, one family residence which is what it is at the present time, two-family residence or a multiple family. Now I'm not going to belabor the analysis to the point where we have to go through each one because I think it's apparent there's an existing residence on this property, certainly doesn't lend itself to agricultural, doesn't lend itself certainly to a church. I'm going to respectfully suggest to this board that it lends itself I think quite uniquely to the requested use in this sense. At the present time it is a residence, has been from time in memorial, it's being sold at this time to my clients for \$363,000. How did that price get established? It got established because there was an appraisal on it in May and I will present a copy for the board's reference in May of 2006 which indicated that at that time its value was over \$400,000. So you might say to yourselves well, what happened in the meantime, what happened in the meantime was the property's been listed for over two years for sale and I will present written evidence of that for the board's consideration through Century 21, they have had 15 showings and not a single signed binder or contract except my clients. And the indications from the real estate brokers and from my client is that the reason why they have had no other offers is because number one, the traffic, traffic on 300 has increased substantially over the past several years, the speed limit is 55 miles per hour, and you take that into consideration with the fact that there was a taking by the state on this in the area of this property which as a result the technical boundary of the state highway is seven feet from the front door of this property. Now, obviously, it's maintained from the property line as it exists now to the edge of the pavement, but the fact is that the state can at any time extend it up to that point. So, therefore, automatically, you're not going

to find families with children wanting to buy this house or for that matter even families with pets, for that matter perhaps not even families period. We have a 150 foot wide Central Hudson easement running through the property and at the present time, although it's not used to capacity even a very quick purview of the property will indicate that we have high voltage wires running across the property. And I'm sure everybody will agree with me that the new buzz word anymore is high tension wires, high voltage with electromagnetic fields and the fear that the general public have concerning possible adverse carcinogenic affects of that. So what I'm leading up to is, all right, so my clients come along, they make an offer, in fact, they wanted to offer substantially lower than what they're paying in this contract but what established the price in this contract is the fact that the sellers are selling it for the exact balance of their mortgage. They are walking away with zero and if my clients don't pay this price, they can't buy this property, it will go to foreclosure, they can't clear the title and that's how the actual selling price was established. Now, if the board looks favorably, excuse me, I didn't complete my comments and concerning hardship, I apologize for that. I also have an affidavit here from the homeowners, they now reside in California, their son lives in the house, doesn't pay rent, pays the utilities but he can't, he does act as a caretaker basically but their mortgage payments are just causing them undue financial stress. And in their affidavit, they spell out the fact that their mortgage payments are \$2,466 a month, that's just principal and interest, their taxes are \$6,800 a year so if we add the taxes to the principal and interest, we come up with a payment of about, we come up with a total monthly payment of \$2,966 a month. I asked the real estate broker to give me comparables and a statement as to what would be the fair rental value of the property, they gave me three comparables in New Windsor and the highest of the three is \$1,900 a month. So automatically, my client's

looking or not my client but the seller's looking \$1,000 a month net loss on the property and that doesn't take into consideration repairs, insurance. Now having addressed the hardship aspect of it, obviously, the relevant consideration now is well, if this board looks favorably on the application, what about the impact to the rest of the community. As Joe mentioned before, what he's asking the board to do is basically extend the NC zone a short distance because if we were in the NC zone, we would be able, we wouldn't have to be here this evening seeking a use variance. If the variance is granted, my clients as indicated by Joe on this rendering and by the site plan wish to improve the appearance of the building as it presently sits on the property. They wish to use it for the purposes of their hall. I asked my client well, what are we talking about in terms of its actual use, he said they have two meetings a month, 24 meetings a year. The meetings he tells me last no more than an hour, hour and ten minutes, usually start at 7:30 in the evening. He says at a maximum of once a month they have a fund raiser, of course proceeds of which they use for their charitable purposes and the fund raisers are either on a Saturday morning, might have steak and eggs type thing or sometimes, it will be during the week and he says it's never more than three When I say during the week, probably a Friday or Saturday night. At those fund raisers he said he would anticipate anywhere from 50, 60 maybe 75 people maximum. So yes, no question about it at times there's a fund raiser, there will be cars there but I respectfully suggest to this board that the use that the property will receive from the Elks Club will be substantially less than it's being used right now. Ordinarily, daily traffic of the existing homeowner or the user of the house coming and going at least tw ice a day perhaps more traffic is a problem in the The use of this building would be in off traffic hours, as I say, two, maybe three times a month, property will be well kept. My client tells me under

their national charter, they have very strict regulations as to the appearance of their buildings, how they must be maintained because they have to ensure it through the national chapter and they have underwriters checking this at all times. conclusion, my client would like to simply have me reiterate what was their track record in the City of Newburgh. Before they left the City of Newburgh, sold their building, they were there for 98 years, never had a complaint, they were good neighbors, they donated to all the charities. My client indicates that to the extent necessary that this board or the planning board deems it appropriate to have limitations on the lighting and they contemplate having the lighting such that it is directed in and not out so that it doesn't spill over the boundary lines of the property, contemplates utilizing screening as necessary and tastefully. Generally, it's their impression that if this variance is granted, what they intend to do to this property will enhance the values of all the properties surrounding it, including the fact another limitation which I forgot before is the property is in a historical overlay district with the Purple Heart Museum where it is and my client says this is something that attracted them to it and will attract other fraternal organizations, other chapters of their fraternal organization of Elks because that's their primary object of existence, the veterans and their pre-existing Masonic Lodge which was tied into the Veteran's Hall, they want to be part of the historical overlay district, they want to contribute to it, they want to be identified with it. So, if you have any other questions, feel free and I respectfully request that the board act favorably.

MR. KANE: I think at this point I'm going to open it up for the public for any statements you have, any questions you might have. I ask you to state your name and address clearly so Fran can hear it and we'll get that down. Please keep your statements non-repetitive

as possible and we'll take it from there. Anybody have any comments they want to make?

MR. LUNDSTROM: Also if I may there's a sign-in sheet circulating, anyone who's here for the public hearing please write your name and address on that again that will be given to the stenographer so she can get it correct. Has everyone had a chance to see that yet?

MR. KENNEDY: Richard Kennedy, I'm from, I live at 276 Temple Hill Road, Unit 106 and I'd like to direct a question to Mr. Bloom, if I may. You said something about the traffic and the traffic on 300 is horrendous now, is there anything in the plan that will kind of mitigate that or alleviate that at some point because it's bad blood.

MR. BLOOM: I think your point is extremely well taken, my clients are very sensitive to that and they fully contemplate making an appropriate presentation to the planning board at which point of course you'll be welcomed to attend for the purpose of addressing that issue. They are going to submit a plan to the board which will identify their peak anticipated peak hours of use and then contemplating that those peak hours of use address the situation as best they possibly can and with the input of anybody would like to be at the planning board and planning board itself for the purpose of minimizing that impact.

MR. KENNEDY: And I do have an ulterior motive, sir, I'm hoping that it will get us a traffic light.

MR. BLOOM: That's beyond my capacity, Mr. Kennedy, but I certainly understand where you're coming from and as a citizen, I appreciate what you're saying.

MS. COYNE: My name is Patricia Coyne, I'm also a resident at 276 Temple Hill Road. I have several concerns, I'd like to know what would the person

capacity be at this lodge for an event say maybe a wedding, not necessarily a formal wedding but will it be 75 person capacity, is there a 200 person capacity? I'd also like to know will the facility have a fence or gate? We have a lot of children in our community, there are a lot of juvenile issues as far as calling the local police department to come in and check them out they'll be attracted to that facility because now there will be something entertaining and curious for them to check out, also if the members of the lodge tend to be a little bit older getting out on the road is very difficult and I am a mom and it scares the hell out of me to try to get out there. One morning I counted 52 cars going in either direction waiting for an opportunity to pull out, while I was waiting to pull out, somebody from behind me and it's not the first time pulls out in front of me creating another hazard to get out onto the road. Also in that shoulder, that's left and right of 276 Temple Hill Road right beside that property, if there's a car in the shoulder it creates another hazard where you cannot see out onto the road in order to get out to the road whether it be left or right, you also need to be aware of that if you have elders coming and traveling in their car getting in and out of the road. We have not been able to get a traffic light there, it costs about \$50,000 and we don't necessarily have that money in the kitty to put in a traffic light so we can get out. Thank you.

MR. MINUTA: With regard to the occupancy that's based on two factors, based on the factor of parking and based on the square footage of the actual occupiable area of the building which we're currently in design of. If we consider the parking alone we have 23 spaces, there's one space per 300 square feet of usable floor space, 6,800 square feet of floor space for this building including basement. That being said, normally you could on an average we'll look at let's say three people per vehicle so that would bring us to 69 people at that point as an occupant load for one portion of

this and that would also be mandated of course based on fire code and interior occupancy.

MR. KANE: Joe, if I may, could I interrupt? Instead of phase 1, let's go with the maximum that you intend to use so if you're going to have a hall that's rented out for 200 people that answers the question a little bit.

MR. MINUTA: Sure, phase 2 would incorporate total number of parking spaces, we have total of 72 parking spaces provide for phase 2 that would include 2 handicapped spaces going on that same number multiplying that times 3 we're looking at 200 or 216 people.

MR. KANE: Do you have the intention of building a rental hall that will accommodate that amount of people?

MR. MINUTA: It's not a hall, it's a meeting area, there's a pavilion in the back yard which would be approximately 1,400 square feet which is outdoor type of event happening.

MR. KANE: And I will ask another question. Has the Elks held any kind of event that has drawn over 150, 200 people to your old location?

MR. WILLIAMS: We have rarely had anything that big, I think the most tenants I remember at any event has been about 100 people for probably the reason of the neighborhood down there, largest attendance that I remember any event, I've been a member for 34 years has been 100 people, part of this reason I think may have been function of the neighborhood, we don't know for sure but that's the largest that I can remember.

MR. KANE: Thank you. Ma'am?

MS. JAMES: My name is Judith James, I live at 276 Temple Hill Road. Mr. Minuta answered part of my question, I was going to ask what's the maximum parking that you expect in that area because I've lived there for about five years now and just driving up and down 300 it doesn't seem like it's an area that's built to have events, put it that way, it's more a residential, especially that house as it is right now just to think that there would be an event where there would be 100, to 150 people there would be a lot of cars coming in and out of that area, as well as, you know, if the phase 2 hasn't been built yet just my concern is them parking outside on the side road and come into where we actually exit so that's one of my concerns. My other concern, my other question is regarding the meetings, I'm not that familiar with the Elks but is it that they only meet two times a month plus have the one fundraiser then it's not used at any other time or is it used throughout the month for different things?

MR. WILLIAMS: I think we're best described as a part time organization, it's a very accurate description of us and we lately may not have as many events as we had before because we're frankly one in a better financial position than we were before we sold our building downtown.

MS. JAMES: Do you expect it to increase especially with being so close to the Purple Heart Museum also?

MR. WILLIAMS: It's hard to anticipate, we'd hope that we could give the Purple Heart an extra amount of support, we intend to become a major sponsor of the Purple Heart Hall and that's the perfect location.

MS. JAMES: My only other comments is Mr. Bloom also mentioned that there will be fundraisers sometimes on Saturdays at about 7:30 or so running for three hours, that's a busy time during that period in the weekend, people go up and down going up to Lowe's, Home Depot

different area so it's a busy time, as someone else mentioned, the traffic trying to get in and out of where we are now is difficult, having additional people especially if there's going to be an event, the way the wedding takes place on a Saturday or Sunday, it may be quite dangerous at that time also. That's it.

MR. KANE: Thank you. Sir?

MR. POWLES: My name is William Powles, 276 Temple Hill Road. Regards to the Elks, I'm sure it's an admirable organization, however, I don't feel that that location will be suitable for them. I live in the 700 cluster when you enter the property at 276 Temple Hill Road that's the first 12 homes on the lefthand side, the houses there now, when they had pool parties, handfull of people you can hear the music, you can hear the commotion, it's not, it's not peaceful. If you're going to be building out to a pavilion that can handle minimum hundred people I don't see that as being a benefit to the property value, I see it detracting from the property value, you walk outside on your patio you're going to hear whatever event is taking place at that facility or I don't see that as being a benefit for the property value. Addition of parking overflow parking, where are these people going to park? Is there a good chance these people could park on 300, 300 it's pulling out of at 276, people will, Temple Hill Road, it's hazardous, frequently people enter the property, they pull on the shoulder as they enter which is creating a wider road just as what was created for the Purple Heart Museum where 300 was widened, the increase of volume at that address now a pavilion capable of holding 100 people or more overflow parking where are they going to park on the shoulder of 300 parking into our entranceway at 276 Temple Hill Road? Just the facility itself, I'm, I don't feel it would be appropriate for the area, I feel that based on traffic it's a close proximity to the homes there I don't feel it fits well.

MR. KANE: Thank you. Ma'am?

MS. GALLAGHER: Patricia Gallagher, 276 Temple Hill Road. My first question well not a question, my first statement is I'm sorry for the financial situation for the DeForrest family, but I don't see how that becomes our problem. Second, that gentleman stated the noise level from that house just for a family is loud all summer long, I can just imagine what it would be like at 100 people event at a minimum, an outdoor pavilion is just not conducive, it has nothing to do with the Elks themselves or their lodge. I wish them lots of luck and continue their great work but at this particular piece of property I just don't see it conducive to the neighborhood, to our property value, to adding more congestion to an already congested area and I think that's about it.

MR. KANE: Thank you.

MR. WALSH: John Walsh, 276 Temple Hill Road. I have a question for you. How does that increase our property value? More so I have two young children and I think it's going to be a problem throwing parties or weddings or whatever goes on late night.

MR. BLOOM: Well, my thought if I may.

MR. WALSH: My property connects with the property that you have in mind.

MR. BLOOM: May I, Mr. Chairman?

MR. KANE: Yes.

MR. BLOOM: My thought on that was that this property, if my clients don't buy the property and the sellers can't maintain the mortgage payments it's going to go into foreclosure, it's going to be purchased by some

developer or some investor at that foreclosure sale with any number of possibilities. But the more likely possibility from my experience is that developer or that investor is going to use it to rent it out with minimum amount of aesthetics in consideration and just get any tenant at any price. So I just felt and I firmly believe I'd rather than take that kind of chance with that piece of property being situated so visibly as it is to the other properties rather have an entity there that I know is going to take care of the property. That was my thought.

MR. MINUTA: If I may dovetail that?

MR. WALSH: Better than 100 people.

MR. BLOOM: The hundred people are only there once a month maximum.

MR. KANE: We're not going to debate, excuse me, questions but we're not going to debate. Joe?

MR. MINUTA: With regard to the aesthetic value of the property, this is currently in a historic overlay district, part of the charm if you will of this historic overlay district is to provide an architecture that's fitting to that time, that period as a calling card if you will as you drive down Temple Hill Road, Freedom Road for New Windsor, this is not a commercial facility if you will in its style and its aesthetic appeal, there's more of a residential style that we're going to be incorporating. We have a wood fence as many other residences would have, we have a pavilion in the phase 2 portion which may or may not happen, we really don't know, we're fielding that at this time. With regard to noise levels, was that part of the question, noise with regard to the noise levels, Town of New Windsor has a zoning ordinance on noise I believe it's 65 decibels during certain hours and 56 during hours that could be reinforced as with any other

person and the neighbor that you may have there's already been, you're not getting anymore than you've already had, there's already been some people who have questioned the noise and that existing neighbors had noise, they're just like any other neighbor and there's control over those issues as well.

MR. BLOOM: Mr. Chairman, may my client address that issue?

MR. KANE: Sure.

MR. WILLIAMS: I'd like to say at best that we're going to be a part time organization, some people have assumed that we're going to have weddings and things like that, be a catering hall, we're not going to be a catering hall. Yes, we will have some functions there and being a part time organization you think you're going to have less chance of us making a noise issue than theoretically if it goes to a rental property you could have parties there 365 days a year with non-resident owners that you can't control, at least we'll be able to be controllable, if people complain, we comply, you know, we're 98 years in the City of Newburgh and we did not have one single city violation, we'll make accommodations for sound buffering, we're going to put a fence around the property in terms of any child safety issues, we're going to offer up plantings, we're going to make it nice, we're going to do it right.

MR. KANE: Okay, sir?

MR. CHERANSKI: My name is Steve Cheranski, I live at 276 Temple Hill Road. I have lived there 26 years. I'm also a member of the Elks. From what I'm hearing here tonight many people seem to be saying that the Elks are a very admirable organization and they do a lot of good works but we don't want them as a neighbor. Well, I'd like to say that we make good neighbors and

speaking for myself, I've lived there for 20 years, I would enjoy having them and welcome them as neighbors, some of these fundraising things that they're talking about we have what we call a CP dinner during the summer once a month, it's a spaghetti dinner, what we do we charge six bucks for a big bowl a spaghetti, meatballs, salad, cake, coffee for six bucks and all the profits go to cerebral palsy, that's the type of affairs we'll be having.

MR. LEVINE: Joseph Levine, 276 Temple Hill Road. Are they going to rent the place out for weddings or big parties or whatever and even where are the people going to park? Are they going to be parking in our area?

MR. KANE: Again, being a little repetitive on the parking, they've told you how many parking spaces that they're going to have.

MR. LEVINE: They invite 150 people and there's 150 cars, who knows.

MR. KANE: Okay, next? Before I get repeat questions, I'm going to, so please don't raise your hand, if you have something new to say please say it because there's a lot of people here and I'm not going to come back three times to the same person. Ma'am?

MS. NARCISSO: Lauri Narcisso. Same thing if it's anything like the Knights of Columbus, you just don't do the occasional rentals, whatever you do have like the Knights club does have liquor, if I were at your club as a member I get to have alcohol and now that's going to bring traffic issues, that's going to bring a lot of things to our development that we already have issues to deal with alone, we don't need anymore alcohol or devices that bring the neighborhood down in our area.

MS. WRIGHT: My name is Peggy Wright, 276 Temple Hill

Road. I'm concerned about the historical connotation, you're redoing the building, you said there are two new homes next to that property as well, so I don't know, also in terms of 276, the buildings there and how you're going to continue with a fence, I don't know that a fence would also be the most appealing thing to someone who's like these people are having trouble selling their home too I may have difficulty selling mine when I'm ready to leave and that's a grave concern of mine.

MR. KANE: Other questions, comments? No repeats until I get through everybody. Thank you.

MR. ANDREWS: I live on Temple Hill Road right there on--Eugene Andrews and I live on 1519 Continental Manor.

MR. LUNDSTROM: Would you spell your last name?

MR. ANDREWS: A-N-D-R-E-W-S and why can't they market that as a dental or doctor's office? Wouldn't it be more easier, simpler, less traffic and less problems? I don't think you have enough parking there for a big occasion and that in that area there you'd have to put a lot, if you have 100 cars, you have 100 parking spaces, if they don't have room they're going to be parking out on 300 and then you can't see to get out, I mean, it's bad there as it is, so I think that it should be taken into consideration, parking. Thank you very much.

MR. KANE: Thank you, sir.

MS. GALLAGHER: Patricia Gallagher, 276 Temple Hill Road number 205. What's the earliest and latest times that any events will be occurring at this Elks Lodge?

MR. MINUTA: If I may, I believe that would come down to the planning regulations, is that appropriate?

MR. KANE: Basically.

MR. MINUTA: Tonight we're here for a use variance, this is to approve the use for this property. We're not here for the planning aspect of that with regard to all of the various functions that many of you, although they're very good questions that will be addressed during the design, that's not really appropriate for this particular situation, we're here for a use variance only. You will have another opportunity to ask these questions should this be approved tonight at a planning board session because that would also need to be approved, so issues like parking, noise, lights, all of these items can be addressed during the design process of that.

MR. KANE: Basically what happens here so everybody understands the Zoning Board of Appeals basically decides if they can do it, the planning board decides how they do it. So that's not really an issue that we're going to be involved with.

MS. GALLAGHER: Right but don't we get to vote or address our opinions to the board for their approval of this first process or second process or whatever it is?

MR. KANE: Yes.

MS. GALLAGHER: So wouldn't we want to know?

MR. KANE: Not a question that can be answered at this time, they haven't discussed that, there's nothing I can do, I can't force them to give you times at this time it hasn't been discussed with the planning board at all, it's not part of our domain as the zoning board, simplest way I can answer it.

MS. GALLAGHER: So the only thing that's being allowed to be addressed tonight is whether it should be a

commercial property in a residential zone, that's it?

MR. KANE: No, ma'am, you're allowed to ask any questions you want. Our ability to answer those questions may be inhibited.

MS. GALLAGHER: Maybe I misphrased that now I'm, my train went right off it's track. I'm trying to expound on my question, I'm trying get my thoughts out.

MR. KANE: Let me ask a question. What were the hours of operation of the Elks in Newburgh?

MR. WILLIAMS: Again, we're a part time organization, basically evening hours, weekends.

MR. KANE: Latest hours you stay open till?

MR. WILLIAMS: I don't ever remember being down there passed midnight.

MR. KANE: So on the norm you would say approximately midnight?

MR. WILLIAMS: At the latest, yes.

MR. KANE: As far as opening on a Saturday or a Sunday coming in 10 a.m., 7 a.m., noon.

MR. WILLIAMS: Nine o'clock we have steak and eggs breakfast.

MR. KANE: So usually your functions happen sometime between 9 a.m. and midnight on an average?

MR. WILLIAMS: That's accurate.

MR. KANE: Next question?

MS. COYNE: Patricia Coyne, 276 Temple Hill Road. I

think it's more a quality of life issue, I don't think it's directed at me personally, I don't think it's directed at the Elks Lodge specifically, if the zoning changes and the capacity for persons at that address that's so close to Continental Manor 1 and 2 that they're just as much a neighbor as my next door neighbor, we have guidelines, we have to be controlled with the amount of people that we have as guests on our property, especially being loud. If we were to have a party, we cannot have it on the grounds, we have it in a clubhouse so that it can be contained. I don't live next to the Tavarez building, I'm in the way back and it's very quiet, I won't be impacted on the same level but the people immediately to the left, right, behind where 286 is or the people on the right-hand side of it they're going to have the brunt of whatever occasions there are going to be out there. If they tend to be loud into the evening and it is very quiet there so the sound will be amplified. So I think that's what the issue is for them, they'll be our neighbors on the same grass, there really is no separation, a wood fence is not going to separate it, no kidding, it's just a couple steps from whoever's house is the closest to that building, that residence which will ultimately become rezoned, whoever is in there maybe with the exception of a physician's office which will have little traffic and certainly a lot less noise is going to impact Continental Manor 1 and 2 on a daily basis.

MR. KANE: Anybody else wish to speak?

MR. WILLIAMS: I'd like to speak to you. We've heard some people, we've given some good insight, again, I want to say we'd be good neighbors and also notice that there are a lot of people here from New Windsor, residents like myself that probably would like to speak in favor of it and if any of you guys want to speak now is the opportunity.

MR. GILLMERE: Anthony Gillmere, 112 Cedar Avenue, New

Windsor. I captured some of everyone's comments, I just wanted to try and take a stab at this and assure you of a couple things. I appreciate your support of our weddings because you think we're going to have so many people, we have 275 members, due paying members in our lodge today, the likelihood of us having a party in a facility that can't support it yet is very low. As Mr. Minuta pointed out, phase 2 is at this point a pipe dream, we need to get first passed this point first as Mr. Bloom pointed out there are a number of opportunities for you to be involved whether we get phase 2 we're just trying to get a variance to have a home. As it relates to noise, certainly understand your frustration with respect to parking, and correction, the noise that goes by the area what I would submit that a doctor's office on average probably takes 15, 20 patients a day with hours from 7 till 5 and I suspect 20 times 5, 100 people would be a lot more than we would get because as you can see there's probably about 7 members, active members here. Our meetings are generally a struggle to find a quorum of ten people for our meetings so we're not a very vibrant organization anymore. We obviously left a historic building where we had catering facilities which we do not have here and we're not able to properly manage any wedding functions whatsoever. We just didn't have the abilities from a pure manpower standpoint. So we're not going to be having a lot of weddings, I can assure you. As Kirk mentioned, we're a good neighbor, we're here to support and hear what your comments are and try, I tried to capture them. So hopefully we'll get more. The average age of our members without sounding disrespectful is probably somewhere in the neighborhood of 48 years old, our partying days are long passed us so I don't know that we'll have to worry too much about staying up a lot making a lot of noise and in a building which doesn't exist yet. The parking spaces shall be limited as I think Mr. Minuta said and obviously governed by the Town and certainly you have every ability to call the local police department

should we prove to be unsuccessful neighbors for you. Our hours of operation, I wish we had better hours of operation. I've been with the organization for ten years, I was the president for three of those years and our hours of operation vary, we had some card playing folks that came in on Saturday, Saturday mornings from 10 till 1, a number of us watch sports games, football games and as I said we're not a young crowd anymore so we're all home with our kids in bed at pretty decent There's no place to have a wedding, no facilities, the quality of life, I mean, there's really a limited number of people involved, as I said, so I don't want to go over that piece here, low membership and we really are good neighbors, everything we do sports the community. We'd welcome your feedback relative to what fence we might put in if the wooden fence isn't good enough we'll consider putting in another kind of fence. That's why we pay the money for an architect and an attorney so we can understand and properly navigate all the little hurdles so to speak and zoning hurdles and so forth so we really are very good neighbors. And phase 2 is not set in stone, we have to find a home, our numbers are dwindling, our membership is dwindling, we don't have a home, we have been transient for some time. And I would say that you certainly outnumber us at this particular meeting and we're here to at least find a home. So if this is any indication about how many people we expect to have coming to these parties that we don't have yet I'd say look around here and if the Elks here could raise their hand, there's, well, you guys outnumber us, this is the best we can do to come in here and ask for an approval at the zoning board. I don't think you'll find too many more coming for drinks at a place we can't have.

MR. KANE: Yes?

MS. GALLAGHER: Patricia Gallagher, 276 Temple Hill Road, Unit 205. Why is it so important for the Elks to have this particular piece of property? Is there no

other place between Newburgh and here that would accommodate them? I find that hard to believe.

MR. KANE: I think you're asking--do you want to answer that?

MR. WILLIAMS: I can address that very easily. We when we sold our building, our policy was to locate a building without a mortgage and as everybody's probably aware every other piece of property in this eastern Orange County area with the exception of this one probably would have cost us twice as much, frankly, the owner can't sell it because of all the problems that we readily identified. So we found the property, it suited our needs and it suits our mission to serve vets. And I think we're actually going to improve the neighborhood, we're going to offer up a sound barrier, I don't know how people can live there, we would buy it because it's going to be part time. I thank God that I didn't buy a unit back 20 years ago in Continental 1 whether or not we get this problem you're still going to have traffic count of thousands daily and more so when the unbridled development in this Town takes place. So we're actually going to help protect you, we're going to offer up that sound barrier, we're going to offer up the greenery and the shrubs address. The one resident's concern about parking, we have overflow parking, if your unit needs it, you know, we have been good neighbors down on Liberty Street, people needed parking, public groups needed a facility to meet, we have a facility there and we don't charge people for stuff like that and again we're not going to be a catering hall. I don't know, that was brought up, we're going to be a fraternal organization and we're going to be good neighbors. We can prove that with our 98 year track record.

MR. WALSH: John Walsh, 1276 Temple Hill Road. Let me ask you a question. What kind of a sound barrier do you plan on putting because my yard connects right to

the property?

MR. WILLIAMS: I would refer to our architect but my first inclination would probably be an earthen berm or masonry structure or whatever acoustical barrier we thought was good, but would actually help those people in the 700 units, I thought about that, you know, and it's something we can readily do.

MR. WALSH: You're telling me a big wall barrier in my back yard?

MR. WILLIAMS: It's not going to be big, the Town has regulations that we have to comply with, it's going to be whatever is in compliance with the Town regulations.

MR. MINUTA: May I address that subject? With regard to acoustics and sound attenuation, I don't know if you've driven down New Jersey any time, you'll see sound barriers up, okay, the reason for a sound barrier is that trees and vegetation do not block sound, barriers block sound. So with regard to that, that's an extreme case providing a fence provides a sound barrier, there's acoustic limitations and shadowing that we can use from the point of origin to the location of the fence itself, okay, those reverberate back so you have a sound decibel that's reduced by having a sound barrier such as a fence. So to answer that we could address it in any manner that be deemed fit for acoustics but that's basically the purpose of putting up the fence.

MR. POWLES: William Powles, 276 Temple Hill Road. As the gentleman from the Elks stated their membership might not be that high, however, the potential of the property being rented out to another organization for a party the potential is there and bottom line is ladies and gentlemen of the board please do not approve their application.

MR. KANE: Thank you. Any other questions?

MR. BURTON: Robert Burton, Town of Newburgh. past president of the Elks. The facility that we're trying to move into doesn't really have a catering facility, doesn't have a kitchen that can cook to handle any type of big, big organizational party. We're a simple organization right now, our members are dwindling, I'm one of the, thank God Anthony said younger members, I am an older member, I've been a member for 30 years. I'm also the veteran's chairman for the organization. We need a place to reside and as Kirk stated, this place became available because everything is out of our price range, we can't afford to go anyplace else for our home right now. So we need a place to reside. This home will improve the neighborhood, we'll be good neighbors, we're not bad neighbors. Yes, there are going to be some events that will take place but everybody has events, you people have parties too, I mean, if we happen to have a party we're going to complain but people know you live together, you live in harmony, we're not going to be bad neighbors. We have always been good people. We have taken care of people in the area. Christmas time one of our main thrusts at Christmas we hand out food baskets to the people in the area, New Windsor, we do it in Newburgh, we do it around the area, the veterans we take care of Castle Point and going to be in conjunction with the Purple Heart, we'll work together, yes, you might, you're also going to have gone visitors coming in, we can show them that New Windsor is a place to visit, come and see it, it's a historical district, maybe would we have a chance, give us a chance to prove that we're good neighbors.

MR. CAMPO: Joseph Campo, 276 Temple Hill Road. Really simply it's been said more than once tonight the real difficulty is not our concern about having the Elks as a good or bad neighbor, we assume they're good people, obviously their reputation precedes them but on a daily

basis just coming in and leaving our facility every day, leaving that complex is a problem without having neighbors that might have as much as 100 people at any given time. Right now as it stands we don't have, we have traffic congestion, forget noise, forget good neighbor, bad neighbor, it's very difficult today and the possibility and you said you're going to build as much space for 100 cars, just add that possibility to what we already live with, makes that situation impossible for anybody who lives there to really consider having to live with that and it has nothing to do with us condemning or feeling bad or feeling good about the Elks, it has to do with our lifestyle and our lifestyle right now today is difficult and adding that possibility even if it's two or five years from now just makes the thought of that impossible to think about.

MR. KANE: Anybody else?

MS. GALLAGHER: Patricia Gallagher, 276 Temple Hill Road. Mr. Campo said it has nothing to do with the Elks themselves as a club, as a fraternity, whatever, it has to do with traffic and it has to do with the further plans that are somewhere down the line that we're not allowed to talk about tonight.

MR. KANE: Ma'am, I've got to correct you, nobody said you couldn't talk about it, what we said was we may not have answers for you so please--

MS. GALLAGHER: I apologize.

MR. KANE: Thank you.

MS. GALLAGHER: You know, plan 2, plan 3, maybe they'll build the first floor will be a kitchen, you don't, we need to be assured that what they're saying is true and the biggest problem is the traffic and the noise.

MR. MINUTA: With regard to your assurances of what's being designed, I will assure you there's no large catering hall, there's no large kitchen, it's an ample kitchen for the size of a residence to cook for their own members at that point. As far as quality of life is concerned, a pavilion as a pavilion may have different connotations to different people, what I would like you to consider and what our vision of this pavilion is is in an enlarged gazebo, if you have a gazebo in your back yard, it's a little larger than that to accommodate just the people that will be attending for the Elks. As a matter of fact, it's in the shape of a pentagon and it's 1,400 square feet, which is approximately maybe 30 feet in diameter so that's what we're looking at as far as pavilion is concerned. As far as your parking is concerned, yes, there's traffic, yes, we'd have these issues, there are restrictions with regard to the lot, we're not going to be providing any more or any less than required.

MR. PERRAN: Dave Perran, 276 Temple Hill Road. I apologize for coming late but I had to work tonight. I got a notice postmarked March 16, I checked with my neighbors and I couldn't find any of my neighbors who got the same notice.

MR. KANE: There were 314 mailings sent out to everybody within 500, yeah, 314 mailings sent out.

MR. PERRAN: There are owners in Continental Manor who did not receive the notice, I don't know how many.

MR. KANE: All I can say to you, sir, is that they use the tax records from Town Hall those mailings go out which they pay to get and that's the official list that we use.

MR. PERRAN: I'm just letting you know there are owners at Continental Manor who did not get the notice.

MR. KANE: There's no way for us to tell if everybody in that, if there's a new owner in there and they're not on the tax books yet, they're going to get skipped, there's not much we can do or a renter of a location.

MR. PERRAN: I question the process because for one, even though I did get a notice, I don't know enough about the situation to really make a decision and I don't know what my decision is if I had to say tonight whether I would want the Elks to move into that property I would say not, where do I go from here, do I have to organize people at Continental Manor to come up and speak? Is a decision going to be made tonight?

MR. KANE: Yes.

MR. PERRAN: Well then and I spoke to the association that we at Continental Manor or the management agency, I don't believe they've had enough information and they would do this for us probably to organize some kind of fact finding effort and so that we can be educated as the perspective neighbors as to what kind of decision are we making. I don't think we had enough time and I don't think enough people were notified, otherwise I believe that you would see people representing the Continental Manor 1 and 2 association either, I don't know if anyone's here tonight. I don't see either one of the managers.

MR. KANE: Let me answer as far as the notification, when you think about the buildings that are within 500 feet of the residence we're talking about how many of them are not Continental Manor, we sent out 314 so I'm sure in the high 200s went into the Continental Manor itself, that's the only thing I can answer.

MR. PERRAN: I'm just telling you in the short time I haven't found anyone else who got a notice and if I have, and if I have to vote and you're asking me to give you vote I would say no.

MR. KRIEGER: The process of notification is something that's dictated by law. The applicant is required to get a list from the tax assessor here in the Town of New Windsor, they prepare the list, and it encompasses people 500 feet from the property. Once they prepare the list, it becomes the applicant's job to mail notices to people on the list. They're entitled to rely legally on the list that the Town provides and provided they have complied and given the statutory number of days which is not a great deal, it's ten days then they have complied with what the law requires that they do. If one may disagree with whether or not that's an effective means of giving notice but that's what the law requires and as long as they have complied they have a right to bring their application in front of the ZBA.

MR. PERRAN: How do I go about registering my opposition to the statement?

MR. KANE: Duly noted.

MR. KRIEGER: You're doing it right now.

MR. KANE: That's what the public hearing is for and I have a very good idea of who's kind of against it right now and who's for it.

MS. WRIGHT: Peggy Wright, 276 Temple Hill Road. I'm concerned with the quality of life, this man stated that right now the membership is low but once the move has been made, I would expect that one of the reasons that they're moving is to increase that participation in their membership and that too would impact the traffic that we're concerned about but again as I stated I am overly, overly concerned about my ability just as the owners of the property concerned about selling my unit as well as the difficulty they're having.

MR. KANE: Thank you, ma'am.

MS. NARCISSO: Lauri Narcisso, I just want to say I'm totally against it so it's recognized.

MR. KANE: Anybody that hasn't spoken before?

MS. GALLAGHER: I am totally against it. As this man stated, was there a preliminary hearing?

MR. KANE: Yes, there was.

MS. GALLAGHER: Why weren't we notified?

MR. KANE: Preliminary hearings we don't even know if it's going to go public. Most towns as I explained up front don't do a two meeting system, we have no idea what the applicants are asking us until they actually bring the paperwork before us, that's what the preliminary hearing is for is to get an idea of what they want to do and to make sure that they have pictures, anything else that we may need to help us make a decision and again I would say the majority of towns that I know of and I'm in the pool business, ideal with a lot of building departments and I deal with a lot of zoning boards and we're one of the few that use a two step process. And we did that to actually help the applicants so they don't walk in, hit a stone wall, not have the right things and have to wait six months.

MS. GALLAGHER: Ten days notice for the public hearing is that what you said?

MR. KRIEGER: With respect to, first of all, legally speaking, the Zoning Board of Appeals can only make a decision after a public hearing, that's the purpose of this hearing. Now, the purpose of a preliminary hearing which is the practice here in New Windsor is

not as the chairman indicated the practice in other municipalities is not required by law nor is the zoning board of appeals permitted to do anything other than gather information, they make no decision, they hear no testimony, so there's no requirement for notice for a preliminary hearing, it would be impractical but there's a requirement, a legal requirement for a notice for public hearing which is what's going on right now.

MS. GALLAGHER: Which you stated is ten days?

MR. KRIEGER: Yes.

MR. KANE: Has to be in the newspaper ten days before the hearing.

MS. GALLAGHER: But I don't think that's fair to either side now.

MR. KANE: We can't change the law.

MR. KRIEGER: It's a state law, if you don't think it's fair then you have to refer to the--

MS. GALLAGHER: Doesn't give us ample time to make an educated opinion.

MR. KRIEGER: All state laws you'd have to speak to your lawmakers but this board is bound by that law, same as everybody here is, whether it's a good law or bad law one it's enacted, it's the law and it has to be complied with.

MS. COYNE: Patricia Coyne, 276 Temple Hill Road. In this public hearing you'll make your decision tonight?

MR. KANE: Correct.

MS. COYNE: Will the same people that received notification that list of taxpayers will we also be

notified in that fashion of the decision?

MR. KANE: No, ma'am.

MS. COYNE: The next level then is?

MR. KANE: Planning board.

MS. COYNE: Will we get a similar notification of by mail of that so we may be in attendance because I came from my Continental Manor 2 annual homeowners meeting to be here for this, we had a turnout of about 50 people, considering there are 200 in Continental Manor 2 so it was a higher turnout but those people stayed for that, I left it to come here so there might have been more people who would have been able to come and voice an opinion.

MR. KANE: Okay.

MS. COYNE: Do we get a letter indicating when the planning board meeting is?

MR. KANE: Honestly don't know if they're required to do mailings or if it's in the paper.

MR. KRIEGER: There's a notice requirement that applies to the planning board but not the same as what applies to the Zoning Board of Appeals and it's not within the control of this board, what they do as far as their notification is concerned all I can tell you is there's a notification requirement, it's not the same.

MS. COYNE: So for planning board are the general public allowed to attend?

MR. KANE: I believe adjoining property owners will get notices.

MS. COYNE: Thank you.

MR. KANE: Anybody can attend but adjoining property owners will get notices.

MR. KRIEGER: But it's the same deal, they also have to publish in the paper.

MR. KANE: Right and it's still in the paper for the planning board, The Sentinal.

MR. SAEED: Azhar Saeed, 276 Temple Hill Road. How are you going to make the decision today or tonight?

MR. KANE: Yes.

MR. SAEED: That's what I heard, this is a primary area and I didn't know this decision was going to be made because my next door neighbor, I'm the one south of this thing and we're, I'm about 50 yard away from this, I have two kids and I'm very, very concerned and I just found out about this today.

MR. KANE: Thank you. Anybody else?

MR. CAUDY: Robert Caudy, 276 Temple Hill Road. It's a maniac getting out of there and the traffic is getting worse every day. If you get out there on a, when the evening, when cars are coming home from work any time almost it's getting built up so bad you can't get out of there, you can't, it's a maniac trying to get out of there, it's the worst thing I ever saw. Somebody else is gonna get killed there. Already one killed, why won't the state help? Why won't they put a light? They're going to have to do something.

MR. KANE: A little out of our jurisdiction.

MR. CAUDY: I mean it's terrible, you don't realize it.

MR. KANE: I do, I drive it every day, sir.

MR. CAUDY: You take your life in your hands, they come down off the hill before you get out of the driveway they push you down the road, you ain't got a chance, they don't let up, they keep right on you.

MR. KANE: Thank you, sir. Anybody else?

MR. LUNDSTROM: Mr. Chairman in the public meeting can I ask the general public that are here they're talking about the Elks with possibly 100 parking spaces how many cars are currently in Continental Manor, how many parking spaces are currently available in Continental Manor?

MS. COYNE: Depending on the number of bedrooms you have, I'm sorry, do you need my name again? Patricia Coyne 1276 Temple Hill Road, depending on the number of bedrooms you have in your unit determines your number of spaces. I have two spaces, we also pay for a third spot, my number spot is in the 300s and I'm in a 2100 building, there's at least 500 parking spaces and we're constantly complaining about the fact that there isn't even enough spaces to park, there's very limited visitor parking available to the owners there as it is.

MR. KANE: Thank you. Sir?

MR. KENNEDY: Richard Kennedy, 276 Temple Hill Road. That pertains exclusively Continental Manor 2, we do not have that, we have one parking space per unit, we have some extras on the hill and inevitably they're completely full, that's Continental Manor 1.

MR. KANE: Thank you.

MR. LUNDSTROM: One further question, if I may, predominantly this evening we've heard from people that are against the proposition. Is there anyone here who's for the proposition? Can we hear from them if

they wish to speak?

MR. KANE: For the people that are here tonight let me get a hand raise for the member that would be for this and how many against? The people that are raising their hands that are against it, is there anybody here that's not from Continental Manor? Thank you, sir, okay.

MR. MINUTA: Mr. Chairman, may I just state for the record?

MR. KANE: Let me make sure there's no other questions. One more?

MR. ALIVIGNI: Giuseppe Alivigni. The people that raised their hands in the front, they don't live in Continental Manor 1 or 2 or one of them.

MR. KANE: I understand, sir, believe me, I understand. Any other questions from the public? At this point, we'll close the public portion of the meeting and bring it back to the board and I will ask Myra how many mailings we had.

MS. MASON: On March 16, I mailed out 314 addressed envelopes, I had a couple of phone calls, couple of people came in and looked at the plans, there was no official comments, no responses.

MR. MINUTA: A correction for the record, somewhere along this conversation we grew from 23 to 72 to 100 spaces, the total buildout on this for phase 2 portion of this would be 72 spaces, not 100, there's a big difference between the two, I just wanted to make that clear.

MR. KANE: Thank you. And also just let us know phase 2 is a dream.

MR. MINUTA: Phase 2 is a dream.

MR. KANE: So initially you're talking about 23 parking spaces?

MR. MINUTA: That's correct

MR. KANE: Okay.

MR. KRIEGER: Okay, Mr. Bloom, would you address yourself to the self-created hardship aspect?

MR. BLOOM: I will, thank you, sir. As I indicated before and I'd like to expound upon it, my clients are here this evening because they sold this property in the City of Newburgh and they're trying to find a place to live, so to speak, and you heard my client already indicate that they can't afford to by property in this market anywhere else, it's the only piece of property they found that they could afford and they can only afford it because of the hardship that the present owners are experiencing. Was that hardship self-created? I respectfully suggest to this board it was not, they have owned it since evidence will indicate they have owned it since 1998. Obviously purchased it to live there as a residence but with costs going up, taxes going up, whatever their personal financial situation being what it is and they can't make their mortgage payments, an affidavit I have that from them \$2,500 a month in mortgage payments another \$6,800 a year in taxes, add insurance, add repairs to that, they just can't afford it. Result is they're either selling it to my clients or it's going to foreclosure at a public sale. My client's are paying at least \$45,000 more than they wanted to only because unless they do pay that amount these people can't clear their mortgage. So it was not a self-created hardship. And I'd also like to conclude respectfully suggest to this board that I have been very impressed and I'm sure you have by the quality and the extent of the comments

from the public this evening and there's no question we're all residents in New Windsor, we know it's a tough area for traffic. I only suggest to this board that what my clients intend to do is to help alleviate the situation. And I understand suspicions on the part of the public, if I was out there, I'd have the same suspicions. Well, you say this tonight, how do we know what you're going to do in the future. I'd just throw out to the board, the board is already aware of that, if the board is inclined to act favorably on this application, I ask that to the extent that the board deems it appropriate that they qualify whatever their decision, if it be favorable to my clients with stipulations and conditions that this board deems appropriate.

MR. KANE: Thank you.

MR. KRIEGER: I have one other question. It's the applicant's position that this is subject to planning board review if a variance is granted tonight?

MR. BLOOM: Yes, it is and by the way, I'm going to submit a copy of the contract as well as the affidavits and everything I have alluded to so far.

MR. KRIEGER: Okay, but you have an application in front of the planning board now, it's held in abeyance, is that correct, pending this?

MR. MINUTA: Application for the planning board at this moment we're still in the process of this, we'll make an application to the planning board should this be approved.

MR. BLOOM: I was not involved in that part of it, Mr. Chairman.

MR. KRIEGER: He has answered that, that's fine.

MR. LUNDSTROM: A question if I may. Let me direct the question to Mr. Minuta. I know there have been other situations that come before this board where the planning board has heard things and not had a public hearing, is this something you would encourage the planning board to hold a public hearing on it if this board would vote favorably on that?

MR. MINUTA: That's up to the planning board to make that decision, I really cannot answer that, public hearings are generally a good idea.

MR. LUNDSTROM: So what you're saying is the planning board could decide not to hold a public hearing or they could decide to hold a public hearing on it?

MR. MINUTA: I believe that's up to the planning board, I cannot make that decision.

MR. KANE: It's up to discretion as far as I know, although that's something that if we decide can we make that stipulation that some kind of notification go out to the people in Continental Manor.

MR. KRIEGER: You can't bind the planning board, you can't make a condition binding the planning board as to their discretion or not. The most you can do is make a condition that the applicant will not oppose a public hearing should the planning board decide to do that because in my experience, it's traditional what they ask it's among one of the first questions and if the applicant doesn't oppose it they're far more likely to want to hold a public hearing.

MR. KANE: Any further questions from the board?

MS. GANN: Mr. Chairman, just want to make sure I'm clear as to what we're voting on this evening. Are we voting on plan number one which is the new addition with the basement and the 23 parking spaces, is that

what we're voting on?

MR. KANE: No, we're voting on a use change, strictly a use change that they're allowed to use that particular piece of property against what the zoning of that area is so it's a use change of that particular property.

MR. KRIEGER: But you're allowed in terms of putting conditions to condition for instance that there be, that it be no more extensive than as presented before this board so that there would be a cap on it so to speak. I assume that's their intention, they wouldn't have gone to all of this effort if they intended to do something else.

MR. MINUTA: May I answer with regard to the, what we presented here tonight? We have done so to be forthcoming and provide information not only about phase 1 but phase 2 as the dream of this, it doesn't, that's really an offering to the board and the public to show their intentions, okay, unjaded as they are. We're here tonight for a use variance only, these are samples of what we'd like to do with the property and that's why we bring them before you but the real intent is just for a use to be able to use this property as a fraternal organization.

MR. KRIEGER: Let me clarify my earlier comment when I said that you can place a condition, a cap, you can't get into the legally speaking you can't do the Planning Board's job for it. You can't tell them you have X number of spaces and the fence has to be here and the fence has to be there and what the lighting has to be, that's all up to them. And presumably unless this is radically different than any other application that I have seen and I have seen a few, there will be some changes between now and the time they receive final approval from the planning board if in fact that happens. And you can't place a condition on them that that wouldn't allow them to make those changes to it,

condition has to be phrased in broader terms so not to, in other words, they couldn't come in and ask for like 300 parking places if they started now with?

MR. MINUTA: Seventy-two.

MR. KRIEGER: It's conceivable that it would go from 72 to 75 or 72 to 100 or 72 to 50, who knows but you can't pin them down specifically that way but if the intention is not to give them carte blanche so they can make any, once the flood gates are open, they can make any kind of application they want to, it would be three times the size of what they're presenting here, when I refer to putting a cap, I refer to it in general in those general terms, not specific things.

MR. LUNDSTROM: One technical question on the bottom left quarter panel on your display it shows a wetlands as flagged on the bottom right corner, it looks like that's going to be between and this is the future phase between the two parking lots, is that correct?

MR. MINUTA: That's correct.

MR. LUNDSTROM: How do you plan on mitigating that wetland area so you don't--

MR. MINUTA: Mitigation would obviously go before DEC, if DEC doesn't have jurisdiction it will go before the Army Corps of Engineers. The plan is to provide a culvert pipe underneath that to allow that area to go, there's provisions within the DEC's regulations that allow to fill trenches and ditches. So those items would be forthcoming based on design that we would do and that would be through a wetland engineer who would be designing that.

MS. GANN: In regards to the high voltage wires, where is that running across the property?

MR. MINUTA: The high voltage wires run across the property in this location here, if you take a look at 1S1, your existing survey reference you see dashed lines that represents the overhead wires.

MS. GANN: Does that cross over into the parking lots or is that--

MR. MINUTA: That's over the parking areas, yes, clearly we wouldn't be able to use that for anything else than parking, can't put any structures within that easement.

MR. KANE: Any further questions from the board? I'll accept a motion.

MR. LUNDSTROM: It's my understanding that all motions must be made in the affirmative?

MR. KANE: That's correct.

MR. LUNDSTROM: With that in mind, I will move that this application be approved.

MR. TORPEY: Second it.

ROLL CALL

MS. GANN NO
MR. LUNDSTROM AYE
MS. LOCEY ABSTAIN
MR. TORPEY NO
MR. KANE AYE

MR. KANE: Application fails 2 to 2. If nothing else, can I get a motion to adjourn?

MR. TORPEY: So moved.

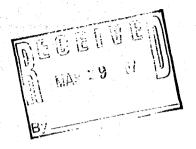
MR. LUNDSTROM: Second it.



Invoice

Date	Invoice #
3/27/2007	194

Bill To		
TOWN OF NEW WINDS	OR	the exhibition of the
555 UNION AVE		
NEW WINDSOR, NY 12	553	



P.O. No. Terms Project
48680

Issue Date	Description		Rate	Amount
3/16/2007	LEGAL ADS: APPEAL NO (07-08) KIRK WILI	LIAMS	10.6	7 10.63
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PUBLIC MEARING
NOTICE
ZONING BOARD OF
APPEALS

TOWN OF NEW WINDSOR
PLEASE TAKE NOTICE that
the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR,
New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-08)
Request of NEWBURGH
LODGE OF ELKS #247 (KIRK
WILLIAMS) (For Tavares)
for a VARIANCE of the Zoning

Local Law to Permit:

Request for use variance for Fraternal Club/Organization not permitted in R-5 Zone at 286 Temple
Hill Road (35-1-65)

PUBLIC HEARING will take place on MARCH 26TH, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

10.0000xxxx

Michael Kane, Chairman

State of New York County of Orange, ss: Kathy Amanatides being duly sworn disposes and says that she is The Supervisor of Legal Dept. of the E.W. Smith Publishing Company; Inc. Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which the annexed is a true copy was published in said newspaper, χ time(s) commencing on day of Man. A.D., 2007 and ending on the 16 day of A.D. 2007 Mar

Kant

Subscribed and shown to before me this 20 day of 100, 2007

Notary Public of the State of New York County of Orange.

Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires, July 15, 107

My commission expires, July 15, 107



RESULTS OF Z.B.A. EETING OF:	March 66, 2007
PROJECT: Newburgh Elba - 247	
USE VARIANCE: NEED: EAF	PROXY
LEAD AGENCY: M)S)VOTE: AN	NEGATIVE DEC: M)S)VOTE: AN
GANN LUNDSTROM LOCEY TORPEY KANE CARRIED: Y_N	GANN LUNDSTROM LOCEY TORPEY KANE CARRIED: YN
PUBLIC HRARING: M) S) VOTE: A N GANN LUNDSTROM LOCEY TORPEY KANE CARRIED: Y N	APTROVED: M) S) VOTE: A N GANN LUNDSTROM LOCEY TORPEY KANE CARRIED: Y N
ALL VARIANCES - PRELIMINARY APPEAR SCHEDULE PUBLIC HEARING: M)	RANCE: S) VOTE: A N
GANN LUNDSTROM LOCEY TORPEY KANE	
CARR	NED: YN
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NEWBURGH_LODGE_OF_ELKS_#247_(KIRK_WILLIAMS)_(07-08)

MS. GANN: Request for use variance for Fraternal Club/Organization not permitted in R-5 zone at 286 Temple Hill Road. Good evening, state your name, sir.

MR. WILLIAMS: Kirk Williams, Chairman of the Board of Trustees, Newburgh Elks here tonight to ask for a change of use variance to permit us to put a fraternal organization in the R-5 zone.

MR. LUNDSTROM: Joe, might be easier if you put it this way, this way the audience as well as the board can see it.

MR. MINUTA: My name is Joseph Minuta with Minuta Architecture, I'm representing the Elks Lodge number 241 for this application, 247, sorry, typo. The property is located at 286 Temple Hill Road in an R-5 zone. We're asking for a use variance on this property. It's currently being used as a single family residence that's being rented, I have some photographs what I provided in the, in your package of what currently exists at the site. We also came across some of these photos which show the actual building a little more clearly. I wanted you to have a full understanding of the area. Currently being used as single family residence as a rental property, their house has been for sale for some time, I believe it's been almost a year and they have had no buyers on the property with the exception of the Elks who would like to relocate their current lodge which they have sold and are looking for a new home in New Windsor. This area actually has a historic precedence of the Cantonment, there is a building which is currently attached to the Purple Heart Museum, the existing building was used as a Masonic Lodge throughout history so there's precedent within this area to do so. What we're also seeking this evening is to understand if this board would allow us to use the regulations based

under NC(a)(9) use which is the closest reference regulations. The reason why I request that is because this, the property is currently it's along the state route of Route 300, Temple Hill Road, its site orientation is the New Windsor Cantonment and Purple Heart Museum just north of here and there's an accessway Continental Manor which is here so here's 300, there's the access, Continental Manor and here's the current property.

MS. LOCEY: So it's right adjacent to that entryway?

MR. MINUTA: That's correct, we're providing an entranceway, we're relocating that slightly for better sight distance as well as access egress to the lot. This will actually have a two phased approach to it, we have been told Phase 1 is going to consist of providing an addition to the existing building, there's our existing plan, here's the new plan showing existing building, we're going to put a new front entrance which will be handicapped accessible, the bulk of the existing basement level and the first level, we're providing parking per the regulations that we have referenced from the NC(a)(9) use, we also meet the regulations as far as setbacks are required. However, we may be coming to you in conjunction with this application for an existing non-conformance for the front yard. We have done some research with respect to the property lines as far as it relates to New York State DOT property, they're the adjoiner, there's been some tags of the property line and I have Darren Stridiron here this evening, should you have any questions with regard to that, he's the New York State professional land surveyor for the project, we have gone back as far as, Darren?

MR. STRIDIRON: 1942.

MR. MINUTA: 1942, there was property line which was situated approximately 6.7 feet from this corner of the

building, our deed shows 36.6 which would put us as an existing non-conformance for the front yard and again I'm basing our regulations off of the NC(a)(9) use showing 40 foot front yard, 15 foot side yard, 15 foot rear yard and for both side yards 35. That's the property in Phase 1. Phase 2 of the property would be to provide an outdoor pavilion which is approximately 1,400 square feet and an expansion area for parking at this location and that would not be an asphalt parking lot rather that would be a geotech style type structure that would be placed on the ground that would allow the grass to grow through and so forth and that would be used for overflow events for the pavilion, also dovetails nicely in the parking situation currently seen at the Museum for the Purple Heart and with respect to that, the Elks are historically enshrined in American culture as far as their lodge and they also have a great connection with the Purple Heart veterans and VFW, so it's a very good match as far as the location and sighting and also brings a new organization, fraternal organization that does a lot of public work for free to New Windsor.

MS. LOCEY: Where is the lodge currently?

MR. WILLIAMS: We're at 155 Liberty Street in the City of Newburgh.

MR. MINUTA: They have been there for how long?

MR. WILLIAMS: Since 1909.

MR. MINUTA: So they're a long standing order.

MR. LUNDSTROM: If I may, what was the purpose for selling the old building?

MR. WILLIAMS: Several reasons, one of the primary reasons was the lack of participation because of frankly the neighborhood, people had the connotation

that it was not the best area that we could be in and we had a buyer that was interested in it that would maintain the building in the way we wanted it maintained if we left it and we came to a very good business deal with them and we decided to sell it to them.

MR. LUNDSTROM: Does the new facility give you more floor space than the old facility?

MR. WILLIAMS: No, no this is approximately 1/3 of the floor space we have.

MR. MINUTA: If I may add to that the old facility was constructed, they had a very large membership at the time, the membership from that has since has gone down, the hope is to establish this in New Windsor and to increase their membership of course. The other building also being built in the 1930's I believe does not conform to today's standards of energy as you can imagine the building that they were in was very, very large and thermal compliance things of that nature was very expensive for them to run as a smaller order with the dues and fees that they had.

MR. WILLIAMS: Our heating bill was 150 to \$200 a day in the winter for our current size organization, didn't warrant that size facility, we needed a lot of maintenance and again we decided to sell.

MS. LOCEY: Now there are two single family homes just north of this location and Continental Manor just south, I'm a little bit concerned with the lighting that might interfere with the comfort of the residential areas, what is going to be done to mitigate those things?

MR. MINUTA: We're proposing a fence around this portion of the property for the first phase of this and we would also be proposing lighting within the parking

area which would be zero clearance, zero cutoff, there will be no glare from the adjoining neighbors so with regard to the hall here I don't anticipate any noise.

MS. LOCEY: Are outdoor parties being planned for the gazebo type area? Didn't you indicate there'd be something?

MR. MINUTA: An outdoor pavilion and perhaps some obviously within the better weather as far as being able to hold outdoor functions I would assume that those type things would happen that would be at the discretion of your board as well since it is a use variance you basically have say over how the property can be utilized.

MR. KRIEGER: Okay, a couple of things, first of all, with respect to the application of particular requirements in a particular zone because you're looking for a use variance this application stands on its own, if the variance is granted, it will be according to whatever is proposed. Now it may be you may choose to make it may be an effective argument to argue that they comply with this set of criteria but ultimately the criteria that will be used for this building will be those that you present, it's a stand-alone type deal, that's number 1. Number 2, is this as a point of information is this subject to planning board approval if a variance should be granted?

MR. MINUTA: At this point, we would most likely go to the planning board but we need the zoning variance.

MR. KRIEGER: First, I said if it were granted, I understand no further proceedings--

MR. MINUTA: It's my understanding that it would.

MR. KRIEGER: Lastly to reiterate what I said to the

last applicant about use variances, the state, not the town, the state has made, has set the bar fairly high as far as that's concerned and this board is bound by the state requirements regardless of whether they think a particular application is a good idea or not, they're bound by these requirements and they're contained in Section 267 of the Town Law of the State of New York and you should be prepared to address those criteria after the application cause as I say it's not a matter of the board looking at it and saying whether it's a good idea or good for the town or whatever, they're bound by those criteria that the state has set forth, they have no choice, it has no choice so be repaired to meet that hurdle.

MR. MINUTA: We have set forth the application, we have completed short form EAF and that completes the requirement for the statute.

MR. KRIEGER: At the public hearing you're going to have to address the criteria, that is just a cautionary note so that you're ready when it comes time.

MR. LUNDSTROM: Madam Chairwoman, if I may ask another question of counsel, again, like the previous application should the applicant be encouraged to seek counsel to represent them also at this public hearing?

MR. KRIEGER: It's a use variance, yes, and the answer is yes for all the reasons that I said for the last application, ever since the state has enacted those regulations it's a different ballgame.

MR. MINUTA: With regard to the regulations of the state, it's still the jurisdiction of this board that we comply with those, does that need to go to another board or state level?

MR. KRIEGER: No, no, it's just that this board has to use those standards in arriving at its conclusion, it

doesn't require anybody, the decision is still made here in front by this board, those are just the standards that they have to use.

MS. LOCEY: Those standards I have to assume that the Elks Lodge is applying for this use variance as a contract vendee, they don't currently own this property, is that correct?

MR. MINUTA: The property is currently pending sale upon use variance.

MS. LOCEY: But a lot of that criteria for a use variance is the owner's burden, is it not?

MR. KRIEGER: Yes, except it's a burden that has to be met, what they're going to have to do is they're going to have to get because it's owned by somebody else contract notwithstanding they'll have to get a proxy which I assume--

MR. MINUTA: We've got it.

MR. KRIEGER: I assume that's not going to be a difficulty. With respect to meeting the standards, it's their application, somebody has to meet them, the proxy says they're standing in the shadow as the owners, matter of fact, the owner's bound by it, if this fails for any reason and the owner wants to come in and look for a use variance for an ABC organization might be out of luck because for six months anyway the proxy says you can speak for the owner.

MR. WILLIAMS: Frankly, he can't sell the property, it's a very difficult property to sell, not the best location in the world for its current use.

MR. KRIEGER: That certainly would play into--

MR. MINUTA: Plays into the hardship.

MR. KRIEGER: Into meeting the criteria because that's certainly one of them.

MR. MINUTA: We'd like to have a public hearing obviously as soon as possible and with respect to that I'd just like to know that we're, whether what we're proposing as far as using similar regulations to the NC zone which borders this for use as fraternal order because that particular zone has regulations for fraternal orders, that's why we provided them for this application. We felt it would be in keeping with those requirements and would be an easy point to bring up that we could all speak about and have a common understanding so I, my question is, would that be permissible of this board at this time and is that something that they could answer?

MR. KRIEGER: You understand legally as I said the application is basically a stand-alone application, I assume when you present it you're going to say it complies with the nearest available similar regulations, those being the NC zone and this is how it applies and so forth and that's going to be part of your argument and I'm sure you'll make it part of your argument. But as opposed to we just made it up, it certainly would reflect positively on you but you should be aware that the application is going to be granted based on this application so if, where it becomes a problem is if you go let's assume that you're granted the application that you have asked for and you go to the planning board if they make substantial changes, not minor changes but substantial changes that's a problem because you've got a variance that says the zoning board will approve this.

MR. MINUTA: Agreed.

MR. KRIEGER: If this turns out to be that, you know, it may be a problem so I can do no more than highlight

the problem, I can't suggest a solution but theoretically I guess the solution is that the planning board says we'll only grant that application, we only have to come back and so what about that so when you decide what this is you should have a firm idea of what you want to do.

MR. MINUTA: Thank you.

MR. LUNDSTROM: If I may ask the applicant and the architect, do you feel that you're ready to proceed and would like to proceed to a public hearing?

MR. MINUTA: Yes, we do.

MR. LUNDSTROM: Then with that in mind, I will make a motion that this application be allowed to proceed to a public hearing for application of Newburgh Lodge of Elks corrected number is 247.

MR. WILLIAMS: Yes.

MR. LUNDSTROM: Application number 07-08 request for use variance for fraternal club/organization not permitted in an R-5 zone at 286 Temple Hill Road, Section, Block and Lot 32-1-65.

MR. TORPEY: I'll second that.

ROLL CALL

MR. LUNDSTROM AYE
MS. LOCEY AYE
MR. TORPEY AYE
MS. GANN AYE

AFFIDAVIT OF MAILING

ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR COUNTY OF ORANGE: STATE OF NEW YORK				
In the Matter of the Application for Variance of				
NEWBURGH ELKS #247 #07-08	AFFIDAVIT OF SERVICE BY MAIL			
STATE OF NEW YORK)	X			
) SS: COUNTY OF ORANGE)				
MYRA L. MASON, being duly sworn, depe	oses and says:			
That I am not a party to the action, am over Mt. Airy Road, New Windsor, NY 12553.	18 years of age and reside at 131			
That on the 16TH day of MARCH, 2007, envelopes containing the Public Hearing Notice per certified list provided by the Assessor's Office reg a variance and I find that the addresses are identical placed the envelopes in a U.S. Depository within the	ertinent to this case with the arding the above application for all to the list received. I then			
Sworn to before me this	Myra L. Mason			
26 day of March, 2007	Myra L. Mason, Secretary			
A broken	JENNIPER GALLAGHER Notary Public, State of New York No. 01GA6050024 Qualified in Orange County Commission Expires 10/30/10			

Notary Public



Town of New Windsor

555 Union Avenue New Windsor, New York 12553 Telephone: (845) 563-4631 Fax: (845) 563-3101

Assessors Office

March 15, 2007

Newburgh Elks

Re: 35-1-65

ZBA# 07-08 (314)

odd Weley To

Dear Mr. Minuta:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

សស់យ៉ា ដែកដែកប

.....

The charge for this service is \$329.00 minus your deposit of \$25.00.

Please remit the balance of \$304.00 payable to the Town Clerks Office.

Sincerely,

J. Todd Wiley, IAO

Sole Assessor

JTW/rah Attachments

CC: Myra Mason, Zoning Board

82-1-1.-250 '
JULIA KELLY
276 TEMPLE HILL RD.#2712
NEW WINDSOR, NY 12553

82-1-1.-251 DOMINICK NISI & DIANA TUTIRI 276 TEMPLE HILL RD. #2801 NEW WINDSOR, NY 12553

82-1-1.-252 RAMZI AYYAD 276 TEMPLE HILL RD.#2802 NEW WINDSOR, NY 12553

82-1-1.-253 ROBERT GRANIERI 276 TEMPLE HILL RD.#2803 NEW WINDSOR, NY 12553

82-1-1.254 LEONARD BELL 32 DOGWOOD HILLS RD. NEWBURGH, NY 12550

82-1-1.255 WILLIAM LAMB PO BOX 805 NANUET, NY 10954

82-1-1.-256 THOMAS BORDONARO JOAN POST 276 TEMPLE HILL RD.#2806 NEW WINDSOR, NY 12553

82-1-1.-257 PATRICIA BORNLOCHER 276 TEMPLE HILL RD.#2807 NEW WINDSOR, NY 12553

82-1-1.258 MERCEDES GIRAIDO 276 TEMPLE HILL RD.#2808 NEW WINDSOR, NY 12553

79-1-1.-101 KIMBERLY HILLERY 276 TEMPLE HILL RD. #101 NEW WINDSOR, NY 12553 82-1-1.-115 MARJORIE BENNETT 276 TEMPLE HILL RD.#1612 NEW WINDSOR, NY 12553 \$1.4 % **第**274 。

82-1-1.-150 MORGAN KAMLET 276 TEMPLE HILL RD.#2103 NEW WINDSOR, NY 12553

82-1-1.-186 CARLOS LOUIS 26 SINCLAIR CT. SPRING VALLEY, NY 10977

82-1-1.-217 PENNY PAGLIARO 276 TEMPLE HILL RD. #2517 NEW WINDSOR, NY 12553 82-1-1,-219 82-1-1,-229 82-1-1.-239 DANIEL & JANET ROBINSON **GILDA DITULLIO** RICHARD IHRIG 276 TEMPLE HILL RD. #2504 276 TEMPLE HILL RD, #2605 276 TEMPLE HILL RD.#2701 NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 82-1-1.-240 82-1-1.-220 82-1-1.-230 DONNA VINCIGUERRA DONALD BARTEL AIDAMELIA ESPAILIAT 29 HURD AVE. **276 TEMPLE HILL RD.#2703** 276 TEMPLE HILL RD. #2607 **GARNERVILLE, NY 10923** NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553** 82-1-1,-231 82-1-1,-221 82-1-1.-241 **ANTHONY &** THERESA MONROE REHAN HOUDHARY ROSEMARY AMANTE **276 TEMPLE HILL RD. #2705 276 TEMPLE HILL RD. #2508** 276 TEMPLE HILL RD. **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** $\mathcal{S}_{\mathcal{F}_{\mathcal{F}}}$ 82-1-1.-222 82-1-1,-232 82-1-1,-242 **ROGER & LYNNE ROYSTER** BARBARA NOANS **RENE MORRIS 276 TEMPLE HILL RD.#2510** 276 TEMPLE HILL RD. #2611 **276 TEMPLE HILL RD.#2707 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-223 82-1-1.-233 82-1-1.-243 DIANE WETERVELT **ALTON & SHARI LEE** SHIRLEY TRENT 276 TEMPLE HILL RD.#2512 276 TEMPLE HILL RD. #2602 **276 TEMPLE HILL RD.#2709 NEFW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 STATE STATES 82-1-1.-244 82-1-1.-224 82-1-1,-234 RAMASAMY & **GEORGE &** RHODA OLTZIK MALARKODI MUTHUSAMY CAROLYN FAMULARE 276 TEMPLE HILL RD.#2604 3 RIDGE VIEW RD. 82 SKYLIND DR. **NEW WINDSOR, NY 12553** HOPEWELL JUNC., NY 12533 HIGHLAND MILLS, NY 10930 ALWAY! 82-1-1,-225 82-1-1.-245 82-1-1.-235 MARIE BOULAY **GRIMALDA BAGAROZZI** JAMES & JUDITH KURKELA **276 TEMPLE HILL RD.#2702 276 TEMPLE HILL RD.#2516** 71 VICTORIA DR. **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** POUGHQUAG, NY 12570 Street State 82-1-1.-246 82-1-1.-226 82-1-1.-236 -ROCHELLE SOBEL ARMANDO SANTIAGO YVONNE HODGES **276 TEMPLE HILL RD.#2704** 276 TEMPLE HILL RD. #2518 276 TEMPLE HILL RD. #2608 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** N 184 82-1-1,-237 82-1-1.-247 82-1-1.-227 ALFRED MLETZKO & FRANCES SHERIDAN STEVEN & KRISTIN BIMBO JEAN BOUTOT **276 TEMPLE HILL RD. #2706** 276 TEMPLE HILL RD.#2601 276 TEMPLEHILL RD.#2610 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-238

RAMASAMY &

3 RIDGE VIEW RD.

MALARKODI MUTHUSAMY

HOPEWELL JUCT., NY 12533

82-1-1.-228

WAYNE BARBALATO

12 SCHUYLER RD.

NYACK, NY 10960

82-1-1.-248
ERIC & ANGELA ROACHE
276 TEMPLE HILL RD.#2708
NEW WINDSOR, NY 12553

82-1-1.-188 HECEN TILLIS 276 TEMPLE HILL RD. #2308 NEW WINDSOR, NY 12553

82-1-1.-189 EDWARD GARCIA 276 TEMPLE HILL RD#2401 NEW WINDSOR, NY 12553

82-1-1.-190 PAUL FREISINGER 7 EVERGREEN DR. STOCKHOLM, NJ 07460

82-1-1.-191 MAUREEN ROUANTREE 276 TEMPLE HILL RD.#2405 NEW WINDSOR, NY 12553

82-1-1,-192 THOMAS & JEAN GILMORE 28 GLENWOOD DR. WALLKILL, NY 12589

82-1-1.193 IOANNIS SKOULIDAKIS 4320 GLENMORE RD. ROCKTON, IL 61072

82-1-1-194 ROBERT BOLZ 489 LAKESIDE RD. NEWBURGH, NY 12550

82-1-1.-195 DENNIS & ERIN D'APICE 276 TEMPLE HILL RD. #2413 NEW WINDSOR, NY 12553

82-1-1.-196 DAVID BROADHEAD 62 FIRST AVE MONROE, NY 10950

82-1-1.-197 NELSON ANTHONY RIOS 276 TEMPLE HILL RD. #2417 NEW WINDSOR, NY 12553 82-1-1.-198 JAMES GALL 437 ROCK CUT RD. WALDEN, NY 12586

82-1-1.-199 KENNETH PEDERSEN PO BOX 106 CLINTON CORNERS, NY 12514

82-1-1.-200 ADAM FIGUEROA & LORI ALMONTE 276 TEMPLE HILL RD. NEW WINDSOR, NY 12553

82-1-1.-201 BOZHENA TABAKMAN 276 TEMPLE HILL RD.#2406 NEW WINDSOR, NY 12553

82-1-1.-202 NICHOLAS GIVAS 276 TEMPLE HILL RD. #2408 NEW WINDSOR, NY 2408

82-1-1.-203 EDWARD & ELIZABETH FODROWSKI 276 TEMPLE HILL RD. #2410 NEW WINDSOR, NY 12553

82-1-1.-204 RITA ANN DALTON 276 TEMPLE HILL RD. #2412 NEW WINDSOR, NY 12553

82-1-1.-205 KENYEA & SANDRA DUDLEY 276 TEMPLE HILL RD #2414 NEW WINDSOR, NY 12553

82-1-1.-206 CHRISTOPHER TUCCIARIELLO 276 TEMPLE HILL RD. #2416 NEFW WINDSOR, NY 12553

82-1-1.-27 LINDA FORTUNATO 276 TEMPLE HILL RD.#2418 NEW WINDSOR, NY 12553 82-1-1.-208 LOUIS & ELIZABETH PEDERSEN PO BOX 106 CLINTON CORNERS, NY 12514

法公社会

82-1-1.-209 JAMES & MARIA MASSI 1001 ETHAN ALLEN DR. NEW WINDSOR, NY 12553

82-1-1:-210 KEVIN PORTER 276 TEMPLE HILL RD. #2503 NEW WINDSOR, NY 12553

82-1-1.-211 ROGELIO& DORINDA ALIER 276 TEMPLE HILL RD#2505 NEW WINDSOR, NY 12553

82-1-1.-212 FRANK CRAPSER 350 WATER ST. UNIT 211 NEWBURGH, NY 12550

82-1-1.-213 HAZEL JONES 276 TEMPLE HILL RD.#2509 NEW WINDSOR, NY 12553

82-1-1.-214 SHERI SCHUCART 276 TEMPLE HILL RD.#2511 NEW WINDSOR, NY 12553

82-1-1.-215 JOHN & MELANIE ANTONELLI 276 TEMPLE HILL RD. #2513 NEW WINDSOR, NY 12553

82-1-1.-216 CRYSTAL PARKER 276 TEMPLE HILL RD.#2515 NEW WINDSOR, NY 12553

82-1-1.-218 ANDREW DEIESO PO BOX 78 NANUET, NY 10954

82-1-1157	82-1-1167	82-1-1177
SHIRLEY MEARES	BURTON & RITA GREENE	CARMEN NEMECEK
276 TEMPLE HILL RD. #2106	276 TEMPLE HILL RD. #2213	276 TEMPLE HILL RD. #2214
NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
82-1-1158	82-1-1168	82-1-1178
PETER DINNOCENZO	JOSE & CARMEN ALDEBOT	MARETTE RUGGERI
276 TEMPLE HILL RD. #2108	125 GLENDALE DR.	276 TEMPLE HILL RD. #2216
NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
82-1-1159	82-1-1169	82-1-1.179
SABRINA PINESETT	ANNAMARIE SANT	ANNMARIE DESILVA
276 TEMPLE HILL RD #2110	276 TEMPLE HILL RD. #2217	276 TEMPLE HILL RD. #2218
NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
11511 11115551, 111 12555	11D1 WINDOOK, 11 12333	1120 11130011,111 1233
82-1-1160	82-1-1170	82-1-1180
ANTHONY & TRACY ZOLLO	KEVIN & ANDREE SMITH	NICOLE MCGRADY
276 TEMPLE HILL RD. #2112	276 TEMPLE HILL RD. #2219	276 TEMPLE HILL RD. #2220
NEW WINDSOR, NY 12553	NE WINDSOR, NY 12553	NEW WINDSOR, NY 12553
NEW WINDSOK, NT 12333	NE WINDSOR, NT 12555	NEW WINDSON, NT 12555
00.1.1.61		00.1.1.101
82-1-1,-161	82-1-1171	82-1-1181
RICHARD & CYNTHIA KROL	AMIL GORE	MICHELLE MARION
28 TRAVIS LN	276 TEMPLE HILL RD. #2202	276 TEMPLE HILL RD. #2301
NEWBURGH, NY 12550	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
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		والمن المناسبة
82-1-1162	82-1-1.172	82-1-1182
EDWARD DEJESUS	FRANK TIRABOSCO	WENDY SCHMITT
276 TEMPLE HILL RD.#2203	276 TEMPLE HILL RD. #2204	276 TEMPLE HILL RD. #2302
NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
		Ale in the first of the second
82-1-1163	82-1-1173	82-1-1183
BRYAN PASCHALL	JANE LACO	EDWIN COWEN
276 TEMPLE HILL RD. #2205	18 HIDDEN GLEN	6 BALTSAS RD
NEW WINDSOR, NY 12553	HIGHLAND MILLS, NY 10930	NEWBURGH, NY 12550
		数于扩张接受 企业。
82-1-1164	82-1-1174	82-1-1184
MARILYN BROWNE	JOSEPH HUGHES	EILEEN BURKE
276 TEMPLE HILL RD.#2207	276 TEMPLE HILL RD#2203	276 TEMPLE HILL RD.#2304
NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
Hell Willook, NT 12555	NDW WINDON, NT 12303	A STATE OF THE STA
		经验验
01 1 1 165	02 1 1 175	82-1-1185
82-1-1165 DENNIS MULFORD	82-1-1175 VI IA CALDEDON	DANNY TELESFORD &
	YLIA CALDERON	MARGUERITE ST. CLAIR
260 SEAMAN AVE. APT. A	276 TEMPLE HILL RD. #2210	276 TEMPLE HILL RD. #2305
NEW YORK, NY 10034	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
82-1-1166	00.1.1.00	00 1 1 102
NICHOLAS &	82-1-1.176	82-1-1,-187
ELIZABETH ANTONELLI	SHALLON SEYMOUR	MARY MCDONOUGH
13 COLD SPRING LN	276 TEMPLE HILL RD.#2212	276 TEMPLE HILL RD. #2307
NEW BURGH, NY 12550	NEW WINDSOR, NY 12553	NEW WINDSOR, NY 12553
		e de production de la companya della companya de la companya della
선택하는 경기를 받는 것이 되었다. 사람들은 기계를 받는 것이 되었다.		

82-1-1.-136 82-1-1.126 82-1-1.-146 DOMINICK & KARIN ADANIEL WILLIAM MALDONADO KATHLEEN GIANNOTTI 276 TEMPLE HILL RD #1708 **276 TEMPLE HILL RD. #2004** 276 TEMPLE HILL RD. #1902 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-127 82-1-1,-137 82-1-1.-147 SYED & NONA RIZVI KAREN FOSTER MATTHEW MANZA 2803 KENT PL. **276 TEMPLE HILL RD.#1903 276 TEMPLE HILL RD.#2005** HILLSBOROUGH, NJ 08844 NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553** 82-1-1.-128 82-1-1.-138 82-1-1.-148 GEORGE COHEN EILEEN ACOSTA DONNA BAILEY 276 TEMPLE HILL RD. #1904 276 TEMPLE HILL RD. #1802 **276 TEMPLE HILL RD. #2006 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** kang kaya 82-1-1,-129 82-1-1.-139 82-1-1.-149 THOMAS LUCCHESI MARYANNE MCCARTHY CHRIS FIORENTINO 276 TEMPLE HILL RD. #2101 276 TEMPLE HILL RD. #1803 276 TEMPLE HILL RD.#1905 NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** ara karan 82-1-1.-151 82-1-1.-130 82-1-1.-140 LORI ANN HUGHES KATHRYN NIVINS **CORA MCGRATH 276 TEMPLE HILL RD, #2105** 276 TEMPLE HILL RD.#1804 276 TEMPLE HILL RD. **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.131 82-1-1.-152 82-1-1.-141 DONNA & **BRUCE BRYAN** RICHARD DEWSNAP DOMINICK GUGLIELMO **80 QUAKER AVE.** 276 TEMPLE HILL RD.#1907 276 TEMPLE HILL RD.#1805 CORNWALL, NY 12518 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-132 82-1-1.-142 82-1-1.-153 LATANYA GODBEE STEPHEN CHINORANSKY LORI ANN AWWAD 276 TEMPLE HILL RD. #1806 276 TEMPLE HILL RD. #1908 PO BOX 4525 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 enid kristinger 82-1-1.-154 82-1-1.-133 82-1-1.-143 RICHARD IHRIG ANTHONY BLOISE DAVID HORAN 276 TEMPLE HILL RD #2701 276 TMPLE HILL RD.#1807 **276 TEMPLE HILL RD.#2001 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 Inglish y Life 82-1-1.-134 82-1-1.-144 82-1-1.-155 MARIA AMENGUAL DARAH SUBY KISSY CHAPMAN **276 TEMPLE HILL RD.#1808 276 TEMPLE HILL RD.#2002 276 TEMPLE HILL RD.#2102**

NEW WINDSOR, NY 12553

276 TEMPLE HILL RD. #2104

NEW WINDSOR, NY 12553

82-1-1.-156

र्रेट स्थान

PATRICIA COYNE

82-1-1.-145 MICHAEL NONACO 276 TEMPLE HILL RD. #2003 NEW WINDSOR, NY 12553

NEW WINDSOR, NY 12553

NEW WINDSOR, NY 12553

276 TEMPLE HILL RD#1901

NEW WINDSOR, NY 12553

82-1-1.-135

ROBIN MANN

82-1-1.-95 82-1-1.-116 82-1-1,-105 **OWEN & MONICA HENRY** WILLIAM & BIBI BLACK JANET PANZERA 276 TEMPLE HILL RD. #1510 276 TEMPLE HILL RD. #1609 276 TEMPLE HILL RD. #1614 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-96 82-1-1,-106 82-1-1.-117 **WILLIAM & EDWARD REILLY KELLY DIANGE** VALBONA SHALA 276 TEMPLE HILL RD#1616 32 PROSPECT ST. 276 TEMPLE HILL RD.#1611 **NÉW WINDSOR, NY 12553** HAWTHRONE, NJ 07506 **NEW WINDSOR, NY 12553** 82-1-1.-97 82-1-1.-118 82-1-1.-107 **HELEN MASTERSON 276 TEMPLE** ROSE CROSSETTA THOMAS AMANTE **276 TEMPLE HILL RD.#1618 276 TEMPLE HILL RD.#1613** HILL RD. #1514 NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553** 82-1-1.-98 82-1-1.-119 82-1-1,-108 PHILIP JR. & NANCY SCHAUSTAL RICHARD SICINA CAROL PASSARO 276 TEMPLE HILL RD. #1615 PO BOX 10274 **276 TEMPLE HILL RD.#1516 NEWBURGH, NY 12550 NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 82-1-1,-99 82-1-1.-109 82-1-1.-120 ANNMARIE CLEMENTE **PAUL & JANE GANNON** ANTONINETTE BAMBARA 276 TEMPLE HILL RD.#1702 33 FLEMMING DR. 276 TEMPLE HILL RD. #1617 NEW WINDSOR, NY 12553 **NEWBURGH, NY 12550 NEW WINDSOR, NY 12553** 82-1-1.-100 82-1-1.-121 82-1-1.-110 ALVIN BOYKIN JAMES COYLE KENNETH LORENZE **276 TEMPLE HILL RD#1703** 276 TEMPLE HILL RD. #1520 276 TEMPLE HILL RD. #1602 NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553** 82-1-1.-101 82-1-1.-111 82-1-1.-122 STEPHANIE HOBBS **JOHN QUINN HEATHER MONACO** 276 TEMPLE HILL RD.#1601 276 TEMPLE HILL RD.# 1604 276 TEMPLE HILL RD#1704 **NEW WINDSOR, NY 12553** NEW WINSOR, NY 12553 **NEW WINDSOR, NY 12553** House and And the Section 82-1-1.-123 82-1-1,-102 82-1-1,-112 ALEXANDER SR. & KATHLEEN GARRITY JOHN DELGADO ANNA SUPIK 276 TEMPLE HILL RD. #1603 276 TEMPLE HILL RD.#1606 **276 TEMPLE HILL RD #1705 NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 **NEW WINDSOR, NY 12553** 82-1-1.-12 82-1-1.-113 82-1-1.-103 MARIA TIMBERGER SUSAN & JUJY JAMES SHERI ELLEDGE **276 TEMPLE HILL RD.#1706** 276 TEMPLE HILL RD#1608 2506 CONSTITUTION WAY **NEW WINDSOR, NY 12553** NEW WINDSOR, NY 12553 NEW WINDSOR, NY 12553 Spire The Sale 82-1-1.-104 82-1-1.-125 82-1-1.-114 JODY & **DOLORES FRANCO** WANDA JONES

276 TEMPLE HILL RD #1610

NEW WINDSOR, NY 12553

276 TEMPLE HILL RD #1707

NEW WINDSOR, NY 12553

VICTORIA DAVIDOW

276 TEMPLE HILL RD. #1607

NEW WINDSOR, NY 12553

82-1-1.-65 ANTHEA & JEAN MARIE MORNE 369 GRAND ST. NEWBURGH, NY 12550 82-1-1.-66 JAMES & JUDITH KURKELA 71 VICTORIA DR. POUGHQUAG, NY 12570 82-1-1.-67

MARIE MARCASCIANO 276 TEMPLE HILL RD. #1303 **NEW WINDSOR, NY 12553**

82-1-1.-68 LAURIE & ANNETTE EGAN 276 TEMPLE HILL RD. #1304 **NEW WINDSOR, NY 12553**

82-1-1.-69 JEFF & LISA NOTO **276 TEMPLE HILL RD. #1305 NEW WINDSOR, NY 12553**

82-1-1.-70 GINA CUNEO RAMOS 276 TEMPLE HILL RD.#1306 **NEW WINDSOR, NY 12553**

82-1-1,-71 LILIO & ANGELINA MARUCCI 276 TEMPLE HILL RD. #1307 **NEW WINDSOR, NY 12553**

82-1-1.-72 SUSAN WEYANT & DONALD SZYMANSKI **276 TEMPLE HILL RD. #1308 NEW WINDSOR, NY 12553**

82-1-1,-73 DUGO SANCHEZ & VANESSA MILUSKA 276 TEMPLE HILL RD.#1401 NEW WINDSOR, NY 12553

82-1-1.-74 JO GUYT 276 TEMPLE HILL RD. #1402 **NEW WINDSOR, NY 12553**

82-1-1.-75 STEPHEN RENNA **276 TEMPLE HILL RD. #1493 NEW WINSDOR, NY 12553**

82-1-1.-76 **ROBIN FRANCIS** 276 TEMPLE HILL RD.#1404 **NEW WINDSOR, NY 12553**

82-1-1.-77 **ELIZABETH PONESSE** PO BOX 4237 **NEW WINSDOR, NY 12553**

82-1-1.-78 PAUL & MARILYN MACERONE 60 GOSHEN RD. CHESTER, NY 10918

82-1-1.-79 CHRISTA PETACCHI 276 TEMPLE HILL RD. #1407 **NEW WINDSOR, NY 12553**

82-1-1.-80 **DEBORAH BOULEY 276 TEMPLE HILL RD.#1408 NEW WINDSOR, NY 12553**

82-1-1.-81 MICHAEL & **CATHERINE HOLLAND** 11 GLEN DR, WAPPINGERS, NY 12590

82-1-1.-82 **KENNETH & GAIL FLIESSER** 104 BELLOWS LN. **NEW CITY, NY 10956**

82-1-1.-83 MANCY SAIRRINO 276 TEMPLE HILL RD.#1505 **NEW WINDSOR, NY 12553**

82-1-1.-84 OLIVIA PARGA 276 TEMPLE HILL RD. #1507 NEW WINDSOR, NY 12553

82-1-1.-85 ANTHONY & MARIE FRARACCIO **276 TEMPLE HILL RD.#1509** NEW WINDSOR, NY 12553

82-1-1.-86 WILLIAM OMPHAIUS 110 CARTWHEEL ST. **WASHINGTONVILLE, NY 10992**

82-1-1.-87 DANIEL &KATHLEEN MURPHY 276 TEMPLE HILL RD. #1513 **NEW WINDSOR, NY 12553**

J. St. C. 87.

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82-1-1.-88 LINDSAY MAGUIRE 276 TEMPLE HILL RD. #1515 **NEW WINDSOR, NY 12553**

82-1-1.-89 CRAIG GUGICK 276 TEMPLE HILL RD.#1517 **NEW WINDSOR, NY 12553**

82-1-1.-90 **EUGENE &** BARBARA ANDREWS 276 TEMPLE HILL RD.#1519 **NEW WINDSOR, NY 12553**

82-1-1,-91 CHERYL NISGOR **276 TEMPLE HILL RD. #1502** NEW WINDSOR, NY 12553

82-1-1.-92 KRISTEN VENEZIA 276 TEMPLE HILL RD. #1504 NEW WINDSOR, NY 12553

82-1-1.-93 DAWN LOCURTO **276 TEMPLE HILL RD. #1506 NEW WINDSOR, NY 12553**

82-1-1.-94 KIMBERLY MORELOCK **276 TEMPLE HILL RD. #1508 NEW WINDSOR, NY 12553**

82-1-1.-35 ROBERT MISTRETTA 276 TEMPLE HILL RD. #1007 NEW WINDSOR, NY 12553

82-1-1.-36 NANCY LYTTLE 276 TEMPLE HILL RD. #1008 NEW WINDSOR, NY 12553

82-1-1.-37 CELESTE LAWRENCE 276 TEMPLE HILL RD. #1101 NEW WINDSOR, NY 12553

82-1-1.-38 EILEEN MURPHY 527 BENITO ST. EAST MEADOW, NY 11554

82-1-1.-39 ROSA LOPEZ 276 TEMPLE HILL RD. # 1105 NEW WINDSOR, NY 12553

82-1-1.-40 SHANIO THOMPSON 276 TEMPLE HILL RD. #1107 NEW WINDSOR, NY 12553

82-1-1.-41 JAMES & DEBORAH QUINN 2 ASHLEY CT. SALISBURY MILLS, NY 12577

82-1-1.-42 NICHOLAS & ELIZABETH ANTONELLI 13 COLD SPRING LN. NEWBURGH, NY 12550

82-1-1.-43 STEPHEN & CHAE CAREY 276 TEMPLE HILL RD.#1113 NEW WINDSOR, NY 12553

82-1-1.-44 GREGORY & ANNA RODSTROM 20 PARK RD. SALISBURY MILLS, NY 12577 82-1-1.-45 MARIE HAMILTON PO BOX 626 SPARROW BUSH, NY 12780

82-1-1.-46 WILLIAM PROBST WOODMONT RD. HOPEWELL JUNC., NY 12533

82-1-1.-47 ANNEMARIE FORNERIS 276 TEMPLE HILL RD. #1102 NEW WINDSOR, NY 12553

82-1-1.-48 VICTORIA & LISA SKINGER 276 TEMPLE HILL RD. #1104 NEW WINDSOR, NY 12553

82-1-1.-49 VIVIAN IBARRA 276 TEMPLE HILL RD.#1106 NEW WINDSOR, NY 12553

82-1-1.-50 PETER ANDERSON 276 TEMPLE HILL RD. #1108 NEW WINDSOR, NY 12553

82-1-1.-51 ATHANASIA KOTZIAS 276 TEMPLE HILL RD. #1110 NEW WINDSOR, NY 12553

82-1-1.-52 SHANA SANDROFF & GEORGE MARTINEZ 276 TEMPLE HILL RD. #1112 NEW WINDSOR, NY 12553

82-1-1.-53 RICHARD DORE 276 TEMPLE HILL RD. #1114 NEW WINDSOR, NY 12553

82-1-1.-54 TATYANA ZAKHAROVA 276 TEMPLE HILL RD. #1116 NEW WINDSOR, NY 12553 82-1-1.-55 LORRI HOOLAN 276 TEMPLE HILL RD. #1118 NEW WINDSOR, NY 12553

82-1-1.-56 JAMSHID RAISSI & HONARBAKHSH ROYA 40 MAPLE RD. CORNWALL ON HUD.,NY 12520

82-1-1.-57 MARILYN MORALES 276 TEMPLE HILL RD. #1201 NEW WINDSOR, NY 12553

.

82-1-1.-58 ARNOLD & GAIL MEYERS 276 TEMPLE HILL RD. #1202 NEW WINDSOR, NY 12553

82-1-1.-59 NICHOLAS & ELIZABETH ANTONELLI 13 COLD SPRING LN. NEWBURGH, NY 12550

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82-1-1.-60 FRANCIS & JEANETTE TULLY 276 TEMPLE HILL RD. #1204 NEW WINDSOR, NY 12553

82-1-1,-61 FAYEK & FAYE GUIRGUIS 276 TEMPLE HILL RD. #1205 NEW WINDSOR, NY 12553

82-1-1.-62 THEODORA CANARAS 276 TEMPLE HILL RD.#1206 NEW WINDSOR, NY 12553

82-1-1.-63 DAVID & MARILYN FARLEY 276 TEMPLE HILL RD. #1207 NEW WINDSOR, NY 12553

82-1-1.-64 DEBRA FAZIO IRUSHALMIO 2769 RTE. 55 POUGHQUAG, NY 12570 82-1-1-5 MICHAEL & APRIL MEAD 276 TEMPLE HILL RD. UNIT 405 NEW WINDSOR, NY 12553

82-1-1.-6 HENRY JR. & LOUISE SAWOSKA 276 TEMPLE HILL RD. NEW WINDSOR, NY 12553

82-1-1.-7 RUBY REGISTER 276 TEMPLE HILL RD. UNIT 407 NEW WINDSOR, NY 12553

82-1-1.-8 RICHARD & FRANCINA JENKINS 276 TEMPLE HILL RD. UNIT 408 NEW WINDSOR, NY 12553

82-1-1.-9 JENNIFER GODLEY 276 TEMPLE HILL RD. UNIT 501 NEW WINDSOR, NY 12553

82-1-1.-10 CLARISSA HARLEY 276 TEMPLE HILL RD. UNIT 502 NEW WINDSOR, NY 12553

82-1-1.-11 JOSE CASTILLO 276 TEMPLE HILL RD. UNIT 503 NEW WINDSOR, NY 12553

82-1-1.-12 DOMINICK NISI & DIANA TUTINI 276 TEMPLE HILL RD. UNIT 504 NEW WINDSOR, NY 12553

82-1-1.-13 LAURA BAIR 276 TEMPLE HILL RD. UNIT 505 NEW WINDSOR, NY 12553

82-1-1.-14 HILARY GOLD 423 BOSTOCK RD. SHOKAN, NY 12481 82-1-1.-15 KEVIN & BARBARA BUTRICK 276 TEMPLE HILL RD. UNIT 601 NEW WINDSOR, NY 12553

82-1-1.-16 CATHERINE JULIAN 33 PARK RD. SALISBURY MILLS, NY 12577

82-1-1.-17 JEANETTE LUNDY 276 TEMPLE HILL RD. UNIT 603 NEW WINDSOR, NY 12553

82-1-1.-18 AMY OLSON 276 TEMPLE HILL RD. UNIT 604 NEW WINDSOR, NY 12553

82-1-1.-19 LOUIS & TARA ARBIA 276 TEMPLE HILL RD. UNIT605 NEW WINDSOR, NY 12553

82-1-1.-20 JOHN & JANE LACOPPOLA 276 TEMPLE HILL RD. UNIT 606 NEW WINDSOR, NY 12553

82-1-1.-21 CHRISTINE LOSINNO 276 TEMPLE HILL RD. NEW WINDSOR, NY 12553

82-1-1.-22 WENDY ZAYAS 276 TEMPLE HILL RD. UNIT 702 NEW WINDSOR, NY 12553

82-1-1.-23 JESSICA SPRAGUE & DANIEL LAMBERTT 276 TEMPLE HILL RD. UNIT 703 NEW WINDSOR, NY 12553

82-1-1.-24 STEPHEN ASIEMA 31 PINEHILL RD, MAHWAH, NJ 07430

. . .

82-1-1.-25 STACIA MESUDA & ROBERS DONALDSON 276 TEMPLE HILL RD. UNIT 705 NEW WINDSOR, NY 12553

82-1-1.-26 CATHERINE CASTILLO 276 TEMPLE HILL RD. UNIT 706 NEW WINDSOR, NY 12553

82-1-1.-27 WILLIAM & ANASTASIA HALLAS 276 TEMPLE HILL RD. UNIT 707 NEW WINDSOR, NY 12553

82-1-1.-28 GEORGE & ANA COTE 276 TEMPLE HILL RD. UNIT 708 NEW WINDSOR, NY 12553

82-1-1.-29 ROBERT DAVIS 276 TEMPLE HILL RD. #1001 NEW WINDSOR, NY 12553

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82-1-1.-30 TONI RIVERA 276 TEMPLE HILL RD. #1002 NEW WINDSOR, NY 12553

82-1-1.-31 RUFINO VELEZ 276 TEMPLE HILL RD. #1003 NEW WINDSOR, NY 12553

82-1-1.-32
JOANN JAEGER
276 TEMPLE HILL RD. #1004
NEW WINDSOR, NY 12553

82-1-1.-33 BRYAN GUILIANO 276 TEMPLE HILL RD. #1005 NEW WINDSOR, NY 12553

82-1-1.-34 ROSEMARY MARQUIS 276 TEMPLE HILL RD. #1006 NEW WINDSOR, NY 12553

Renths the

79-1-1.-804 JOHN & FRANCES CAVALARI 6 SHADOWOOD LN NEW WINDSOR, NY 12553

79-1-1.-805 JASON FOTOVICH 276 TEMPLE HILL RD. UNIT 805 NEW WINDSOR, NY 12553

79-1-1.-806 SABATO & RAFFAELLA GALLO PO BOX 905 BONITA SPRINGS, FL 34133

79-1-1.-807 NATHAN PRIMIS & NURIEL RAZANSKY 4 HAMPTON PL. NEWBURGH, NY 12550

79-1-1.-808 BRIAN SPEARY 276 TEMPLE HILL RD. UNIT 808 NEW WINDSOR, NY 12553

79-1-1.-809 JOSEPH & ARLENE CAMPO 276 TEMPLE HILL RD. UNIT 809 NEW WINDSOR, NY 12553

79-1-1.-810 CHERYL GOULD 14 BETHLEEM RD. NEWBURGH, NY 12550

79-1-1.-811 IRENE NEUSS 276 TEMPLE HILL RD, UNIT 811 NEW WINDSOR, NY 12553

79-1-1.-812 JAMES DISTEFANO C/O REALE GLASS 212 SO. WILLIAM ST. NEWBURGH, NY 12553

79-1-1.-813 FRANK & ZUINDA KORTRIGHT 276 TEMPLE HILL RD. UNIT 813 NEW WINDSOR, NY 12553 79-1-1.-814
MARCELLO &
ARLENE DELVECCHIO
6 CANDLEWOOD DR.
GOSHEN, NY 10924

79-1-1-815 MARY ELLEN COLOMBO & FREDERICK HOMAN 2 PONY TERRACE NEWBURGH, NY 12550

79-1-1.-816 IRMA VILLAFANE 276 TEMPLE HILL RD. UNIT 816 NEW WINDSOR, NY 12553

79-1-1.-817 ROSARIO NUNEZ 276 TEMPLE HILL RD. UNIT 817 NEW WINSDOR, NY 12553

79-1-1.-818 JOHN & NANCY SZYMOWICZ 276 TEMPLE HILL RD. UNIT 204 NEW WINDSOR, NY 12553

79-1-1.-819 GIUSEPPE LIVIGNI 276 TEMPLE HILL RD. UNIT 819 NEW WINDSOR, NY 12553

79-1-1.-820 MARIE HOMAN 276 TEMPLE HILL RD. UNIT 815 NEW WINDSOR, NY 12553

79-1-1.-901 JERONE & JOYCE RUPP C/O G & J ASSOCIATES 36 SOUTH MAIN ST. SPRING VALLEY, NY 10977

79-1-1.-902 BERNADETTE VINCI & CINDY MOORE 276 TEMPLE HILL RD. UNIT 902 NEW WINDSOR, NY 12553

79-1-1-903 NANCY MICHELETTI 276 TEMPLE HILL RD. UNIT 903 NEW WINDSOR, NY 12553 79-1-1.-904 LUIS CARRASQUILLO & L. COLON & L.A. PAVLIK 276 TEMPLE HILL RD. UNIT 904 NEW WINDSOR, NY 12553

79-1-1.-905 JUDITH JAMES 276 TEMPLE HILL RD. UNIT 905 NEW WINDSOR, NY 12553

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79-1-1.-906 GARY & GRACE NIGHTINGALE C/O G & J. ASSOCIATES 36 SOUTH MAIN ST. SPRING VALLY, NY 10977

79-1-1.-907 BHOOMA PERUMAL 276 TEMPLE HILL RD. UNIT 907 NEW WINDSOR, NY 12553

79-1-1.-908 EDSON & NILVA ORTIZ 276 TEMPLE HILL RD. UNIT 908 NEW WINDSOR, NY 12553

82-1-1 JOHN GADONNIEX C/O CONTINENTAL MANOR II 3111 STATE RTE 208 WALLKILL, NY 12589

82-1-1.-1 LUIS SANTOS 276 TEMPLE HILL RD UNIT 401 NEW WINDSOR, NY 12553

82-1-1.-2 CAROL REUTER 276 TEMPLE HILL RD UNIT 402 NEW WINDSOR, NY 12553

82-1-1.-3 STEVEN & JUDY RAPISARDA 276 TEMPLE HILL RD UNIT 403 NEW WINDSOR, NY 12553

82-1-1.-4 CLAUDINE MAZZA 276 TEMPLE HILL RD. UNIT 404 NEW WINDSOR, NY 12553 35-1-28 JOAN SHEDDEN 27 WATER WAY NEWBURGH, NY 12550

35-1-29 JAMES & JOYCE MASSOWD 18 SHEPRO LN NEW WINDSOR, NY 12553

35-1-30 JAMES & JOYCE MASSOWD 16 SHEPRO LN. NEW WINDSOR, NY 12553

35-1-31 MICHAEL O'CONNELL 12 SHEPRO LN NEW WINDSOR, NY 12553

35-1-32.1 JOHN GABRIAL 304 TEMPLE HILL RD. NEW WINDSOR, NY 12553

35-1-32.2 NICOLINA YASSMAN PO BOX 48 SOUTHFIELDS, NY 10975

35-1-33 LAWRENCE TREMBLAY 310 TEMPLE HILL RD. NEW WINDSOR, NY 12553

35-1-34 DONALD SCADURA 314 TEMPLE HILL RD. NEW WINDSOR, NY 12553

35-1-104 JOHN & FRANCES HOMIN JOHN HOMIN 91 MERLINE AVE. NEW WINDSOR, NY 12553

79-1-1.-103 MEONIE STERLING & MILLICENT MENDEZ 276 TEMPLE HILL RD. #103 NEW WINDSOR, NY 12553 791-1.-104 SHAWN DALGOUTTE PO BOX 598 CORNWALL, NY 12518

79-1-1.-105 JERRY & BETTE CARIFFE 276 TEMPLE HILL RD UNIT 105 NEW WINDSOR, NY 12553

79-1-1.-106 RICHARD & STEPHANIE KENNEDY 276 TEMPLE HILL RD. UNIT 106 NEW WINDSOR, NY 12553

79-1-1.-201 JULIUS & MARYANN SANTACROCE 276 TELPLE HILL RD. UNIT 201 NEW WINDSOR, NY 12553

79-1-1.-202
ROBERT &_____
MICHELLE RUNCALE
276 TEMPLE HILL RD. UNIT202
NEW WINDSOR, NY 12553

79-1-1.-203 KATHLEEN LOCEY 276 TEMPLE HILL RD. UNIT 203 NEW WINDSOR, NY 12553

79-1-1.-204 RICHARD & JOANN COHEN 12 LINCOLNDALE RD. CAMPBELL HALL, NY 10916

79-1-1.-205 MICHAEL & PATRICIA GALLAGHER 276 TEMPLE HILL RD. UNIT 205 NEW WINDSOR, NY 12553

79-1-1.-206 GLORIA WEIR 276 TEMPLE HILL RD. UNIT 206 NEW WINDSOR, NY 12553

79-1-1.-207 JOSE TERRAZAS 276 TEMPLE HILL RD, UNIT 207 NEW WINDOSR, NY 12553 79-1-1.-208 AZHAR & SHABANA SAEED 276 TEMPLE HILL RD. UNIT 208 NEW WINDSOR, NY 12553

79-1-1.-301 STEPHEN EDGE 276 TEMPLE HILL RD. UNIT 301 NEW WINDSOR, NY 12553

79-1-1.-302 ALAN GREENSPAN 276 TEMPLE HILL RD. NEW WINDSOR, NY 12553

79-1-1.-303 PEGGY WRIGHT 276 TEMPLE HILL RD. UNIT 303 NEW WINDSOR, NY 12553

79-1-1.-304 MONTASSER SAADALL 276 TEMPLE HILL RD, UNIT 304 NEW WINDSOR, NY 12553

79-1-1.-305 BERNARD & JEAN DALE 276 TEMPLE HILL RD. UNIT 305 NEW WINDSOR, NY 12553

79-1-1.-306 FRANCES D'ALESSANDRO 2006 JOHN JAY CT. NEW WINDSOR, NY 12553

79-1-1.-801 PAMELA LOUIS 276 TEMPLE HILL RD. UNIT 801 NEW WINDSOR, NY 12553

79-1-1.-802 ROXANA IBARRA 276 TEMPLE HILL RD. UNIT 802 NEW WINDSOR, NY 12553

79-1-1.-803 JANETTE & JOCELYN SANTOS 276 TEMPLE HILL RD. UNIT 803 NEW WINDSOR, NY 12553

PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (07-08)

Request of NEWBURGH LODGE OF ELKS #247 (KIRK WILLIAMS) (For Tavares)

for a VARIANCE of the Zoning Local Law to Permit:

Request for use variance for Fraternal Club/Organization not permitted in R-5 Zone at 286 Temple Hill Road (35-1-65)

PUBLIC HEARING will take place on MARCH 26TH, 2007 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman

Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (845) 563-4611

RECEIPT #190-2007

03/21/2007

Newburgh Lodge #247 B P O Elks

Received \$ 304.00 for Zoning Board Fees, on 03/21/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green Town Clerk

Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (845) 563-4611

RECEIPT #170-2007

03/12/2007

Elks, Newburgh Lodge No.247 Bpo

Received \$ 150.00 for Zoning Board Fees, on 03/12/2007. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green Town Clerk

ZBA # 07-08 Application Fee

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 03-07-07

FOR: **ESCROW 07-08**

FROM:

Newburgh Lodge No 247 BPO Elks

P.O. Box 247

Newburgh, NY 12550

CHECK FROM:

same

CHECK NUMBER: 6942

TELEPHONE: **564-7222**

AMOUNT:

500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU



-

PROJECT: Newburgh Elks		ZBA # <u>07-08</u> P.B.#
USE VARIANCE: NEED: EA	AF PROXY	
LEAD AGENCY: M) S) VOTE: A N	NEGATIVE DEC	M)S)VOTE; AN
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TOWN OF NEW WINDS R REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: 03-12-07 mm

DATE: <u>03-12-07</u> PROJECT NUMBER: ZBA# <u>07-08</u> P.B. #
APPLICANT NAME: <u>NEWBURGH ELKS</u>
PERSON TO NOTIFY TO PICK UP LIST:
JOSEPH MINUTA 345 WINDSOR HIGHWAY NEW WINDSOR, NY 12553
TELEPHONE: <u>565-9055</u>
TAX MAP NUMBER: SEC. 35 B LOCK 1 LOT 65 SEC. B LOCK LOT LOT LOT
PROPERTY LOCATION: TEMPLE HILL RD NEW WINDSOR
LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION (IS NOT PREPARED ON LABELS)
THIS LIST IS BEING REQUESTED BY:
NEW WINDSOR PLANNING BOARD:
SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET
SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)
AGRICULTURAL DISTRICT: (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500' OF SITE PLAN OR SUBDIVISION PROJECT)
LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT $\underline{\mathbf{XXX}}$
* * * * * * * * * * * * * * * * * * *
TOTAL CHARGES:

TOWN OF NEW WINDS R REQUEST FOR NOTIFICATION LIST

CHECKED BY MYRA: <u>03-12-07 mm</u>

DATE: <u>03-12-07</u> PROJECT NUMBER: ZBA# <u>07-07</u> P.B.#
APPLICANT NAME: <u>NEWBURGH ELKS</u>
PERSON TO NOTIFY TO PICK UP LIST:
JOSEPH MINUTA 345 WINDSOR HIGHWAY NEW WINDSOR, NY 12553
TELEPHONE: <u>565-0055</u>
TAX MAP NUMBER: SEC
PROPERTY LOCATION: 286 TEMPLE HILL RD NEW WINDSOR
LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION(IS NOT PREPARED ON LABELS)
THIS LIST IS BEING REQUESTED BY:
NEW WINDSOR PLANNING BOARD:
SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET
SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)
AGRICULTURAL DISTRICT: (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500' OF SITE PLAN OR SUBDIVISION PROJECT)
\diamond
LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX
* * * * * * * * * * * * * * * * * * *
TOTAL CHARGES:



TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

_2		e: Use Variance 🗹 Area Variance 🗆
	Date	Sign Variance □ Interpretation □
	ner Information:	Phone Number: (845) 401 613
E	KPEDITO & ANA TAVARES	Fax Number: ()
	(Name)	
75	SG TEMPLE HILL PO NEW WIN	1050R, NJ- 12553
	(Address)	
App	plicant: KIRK WILLIAMS TRUSTEE FO	
NEI	HBURGH LODGE OF ELKS #241	Phone Number: (845) 564-
29.	(Name) 4 RILEY RD NEW WINDSOR, N.7	Fax Number: ()
	(Address)	. (2)/)
For	warding Address, if any, for return of escro	
		Fax Number: ()
	(Name)	
	(Address)	
Con	tractor/Engineer/Architect/Surveyor/:	Phone Number (845) 565 0055
١		Fax Number: (845) 565 6622
<u>JC</u>	SEPH MINUTA (MINUTA APCH	HITELTURE, PLLC)
244	Name) Name) HINDSOR HWY, SUITE 100,	NALL LLUNSOR NY. 12552
<u></u>	(Address)	THE MINUSER (411.
	(riddoss)	
Pro	perty Information:	
		22.4 To . 2.4
	e: P-5 Property Address in Questic	
Lot	Size: 56,20) +1-5F Tax Map Number: S What other zones lie within 500 feet? R-4,	ection [Block 1 Lot 1
	Is pending sale or lease subject to ZBA approv	
	When was property purchased by present owns	
	Has property been subdivided previously?	
	Has an Order to Remedy Violation been issued	
]	Building/Zoning/Fire Inspector?YES	
f.	Is there any outside storage at the property nov	v or is any proposed? (1) SHED TO BE
		PEMOVED
	*PLEASE NOTE: *****	uning all virus and a second a second
	IS APPLICATION, IF NOT FINALIZED, EX	XPIKES ONE YEAR FROM THE DATE O
SUŁ	BMITTAL.	

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

USE VARIANCE:
Use Variance requested from New Windsor Zoning Local Law,
Section 300, Table of A15 Regs., Col. A # 13
Describe proposal: USE AS A FRATERNAL ORGANIZATION. USE
IS NOT PERMITTED IN R-5 ZONE, SEBKS TO COMPLY WITH
NC. A.9. BULK REQUIREMENTS THAT REPMITS THIS USE.
EXISTING USE IS A SINGLE FAMILY RESIDENCE.
PHASE 1: PENDYATION & APPITION PLUS REQUIRED PARKING & FENCE
PHASE 2: OUTDOOR PAYILION & OVERFLOW PARKING AREA USING
PERMEABLE POLY-BASED PARKING MAT.

VII. The legal standard for a "Use Variance" is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the Use Variance is granted. Also state any efforts you have made to alleviate the hardship other than this application.

CHANGES IN DEMOGRAPHICS AND TRAFFIC IN THIS LOCATION AND THE EXISTING HIGH POLTAGE POWER LINE USE HAS MADE SELLING THIS PROPERTY DIFFICULT AS A SINGLE FAMILY RESIDENCE SO CLOSE TO A HIGH YOUNG & SPEED POADWAY. THE ELKS LODGE #241 HAS OFFERED TO PURCHASE THE PROPERTY IF IT CAM BE USED FOR THEIR LODGE. SINCE A PURCHASER HAS MADE ABINDING OFFER IT WOULD BE A HARDSHIP TO THE OLIVER IF A VARIANCE IS NOT GRANTED.

PLEASE NOTE:

VI.

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Disapproval form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	Requirements	Proposed or Available	Variance Request
Min. Lot Area _			
Min. Lot Width _			
Reqd. Front Yd			
Reqd. Side Yd.			
Reqd. Rear Yd.			
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration*	*		
Parking Area			

^{*}Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

^{**}Non-Residential Districts Only

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The property has been listed for sale for some time without a buyer. The benefit to the Owner is that the property can be sold immediately since the Elks have a binding agreement to purchase the property upon approval of the use variance. The Benevolent Order of Elks s the buyer will benefit by having a "new home" since they are currently "homeless" after being forced to sell their previous lodge due to the high maintenance costs of a thermally inefficient building and repairs.

In weighing this against the aspects of Health, Safety and Welfare of the neighborhood the Board may wish to consider that the house is currently being rented without children occupying this residence, whom could be considered in eminent danger of the high traffic and speed at this location due to its directly adjacent nature to the Route 300 where the speed limit is 55 MPH and where the distance from the R.O.W. to the front door is approximately seven feet.

The change shall be desirable since the property will be well maintained and in the architecturally aesthetic keeping of the new Historic Overlay District that it resides. Further, the Elks have a historically close relationship with the V.F.W. and Veteran's who are recipients of Purple Heart whose new National Museum is a approximately 1,500 feet from the property. This will also provide another national place of recognition within the historic overlay district due to the Elk's National status and will provide a new New Windsor based philanthropic organization for local residents to become members and positively affect the community and serve the Purple Heart Veterans.

(2) The Owner has been unable to sell the property as a single family home for said use and the means to sell have been exhausted with the exception of the Elks as buyers.

(3) The use variance is not substantial since the older section of the current Purple Heart building adjacent to the Cantonment was originally constructed as the KEREM Masonic Lodge of the Masonic Order Therefore creating a historic precedent of this use within this geographic locale. Further, the proposed use would comport with the uses permitted within this stretch of NYS Route 300 (Temple Hill Road) since it borders NC and C zones. (4) The variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district since the use of parking and "green" overflow parking areas are a fine match with the Power Line Easement on the property as building structures could not be erected within the easement.

(5) The difficulty was not self created since the current downward trend in the residential market and local changes in traffic patterns, frequency and various easements have made the property difficult to sell.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

OWN OF NEW WINDSOR ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE - continued

(a)	· · · · · · · · · · · · · · · · · · ·		indsor Zoning Local upplementary Sign R		
		Requirements	Proposed or Available	Variance Request	
	Sign #1				
	Sign #2				
	Sign #3				
	Sign #4			<u> </u>	
(b)		etail the sign(s) for ra or oversized signs		iance, and set forth your re	easons f
	·			·	
		. :			
					<u></u>
(c)			of all signs on premis	es including signs on wind	lows, fa
INTE	RPRETATIO	N:			
(a)	Interpretation Section	requested of New V	Windsor Zoning Loca	al Law,	
(b)	Describe in d	etail the proposal be	efore the Board:		
					·

XII.

4 Copies

XII.	ADDI	TIONAL COMMENTS:
	(a)	Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.) BROE. IS A WELL ESTABUSHED NATIONAL ORGANIZATION. IT IS IN THE
		BEST INTEREST OF BROE. TO MAINTAIN THE PROPERTY IN THE INTER \$ SPIRIT OF THE NEW WINDSOR ZONING LOCAL LAW.
XIII.	ATTA	ACHMENTS REQUIRED:
		Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy. Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question. Copies of signs with dimensions and location. Three checks: (each payable to the TOWN OF NEW WINDSOR) One in the amount of \$ 300.00 or 500.00 , (escrow) One in the amount of \$ 50.00 or 150.00 , (application fee) One in the amount of \$ 25.00 , (Public Hearing List Deposit) Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)
STAT	E OF N	DAVIT. IEW YORK)) SS.: FORANGE)
this appapelica	olication : nt further	I applicant, being duly sworn, deposes and states that the information, statements and representations contained in are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the nuation presented herein are materially changed.
Swor	n to bef	Fore me this:
	day of	Owner's Signature (Notarized)

Signature and Stamp of Notary

PLEASE NOTE: THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

APPLICANT/OWNER PROXY STATEMENT (for professional representation)

for submittal to the: TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

EXPEDITO TAVAR	ES :			, deposes and say	ys that he resides	
(OWNER)					,	
at 286 Temple Hi	LL-Road.	New Windsor.	WVO 10EE2	in the Co	unty of Oranga	
<u>(</u> 0	WNER'S	ADDRESS)	<u> </u>	une Col	Mily OI Uranga	_
			,			
and State of New	ork		and th	at he is the owner	of property tax ma	ap .
a, are	0	Block	Y a4			
designation number(Sec. 35	Block 1	Lot 6:) which is the pr	remises described	in
the foregoing applic	ation and	that he authoriz	es:		· 	•
TOTAL TOTAL	4947 Cm					
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*·						<u>.</u>
(Name & A	dress of	Professional Rep	presentative of	of Owner and/or A	pplicant)	
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to make the foregoin	is ambrica	non as describe	T Metem.	•		
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Date: Februare	12/2	7007	E/A	r's Signature (MU	IST RE NOTARI	ZED)
Sworn to before me	this		·	3 2 Signature (inc	OI DE NOTE	<i>3227</i>
28th_day		uary 2007				
		J				
^			OFFICIALISE	AL Cignature (1	i different than ov	vner)
I)		NO	SARA L OP FARY PUBLIC-CA	LIFORNIA	: ,	
Any Ja	700		SAN DIEGROOM	Mative's Signat	ure	
Signature and Stamp of	Nozry	MY	COMM, EXP. JAN	23, 2011		
						AND DOTA
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OWNER WILL E	EAPPE	aking as ke	PRESENTA	HONOF IME	AATIEN EET EVE	1 Tibel -
MEETINGS.	- }					
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MICHAEL SACHS

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Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor) 1. APPLICANT/SPONSOR 2. PROJECT NAME Kirk Willams, Trustee - Newburgh Lodge of Elks # 241 Elks Lodge #241 3. PROJECT LOCATION: Municipality Town of New Windsor Orange 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 394 Riley Road, New Windsor, New York 12553 S-B-L: 79-1-1 5. PROPOSED ACTION IS: New ✓ Modification/alteration Expansion 6. DESCRIBE PROJECT BRIEFLY: Elks Lodge #241 wishes to locate at 394 Riley Road, Town of New Windsor, New York. Existing location is a Single-Family rental residence. The phase 1 plan is to renovate the building provide an addition and convert to use as a fraternal organization with required parking. Phase 2 of the project is to erect a pavilion and provide expansion parking using polymer based parking mats. 7. AMOUNT OF LAND AFFECTED: Initially 1.29 Ultimately 1.29 acres 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? ₩ No If No, describe briefly Use is not permitted in the zone, but geography and demographics for this use make sense. 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Residential Industrial Agriculture Park/Forest/Open Space Other ✔ Commercial Describe: New Windsor Cantonement, National Purple Heart Museum, Condominiums, Retail, Iron Fabrication, Restaurant, Retail, Office, Windsor Farms, High Voltage Power Lines DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY 10. (FEDERAL, STATE OR LOCAL)? No If Yes, list agency(s) name and permit/approvals: Army Corps of Engineers, DEC, Drainage Swale 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? **✓** Yes l l No If Yes, list agency(s) name and permit/approvals: Certificate of Occupancy as Single Family Residence Town of New Windsor AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? 12. ✓ Yes I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Date: 2/28/07 Kirk Williams Applicant/sponsor name:

> If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

Signature:



ART II - IMPACT ASSESSMENT TO be completed by Lead A L DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617 Pes No	
WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNideclaration may be superseded by another involved agency.	LISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative
Yes No	
COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH C1. Existing air quality, surface or groundwater quality or quantity, noise level potential for erosion, drainage or flooding problems? Explain briefly:	
	in de la filosofia. Autoritado en la como
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural	al resources; or community or neighborhood character? Explain briefly:
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats	s, or threatened or endangered species? Explain briefly:
C4. A community's existing plans or goals as officially adopted, or a change in us	se or intensity of use of land or other natural resources? Explain briefly:
C5. Growth, subsequent development, or related activities likely to be induced	ed by the proposed action? Explain briefly:
C6. Long term, short term, cumulative, or other effects not identified in C1-C	:5? Explain briefly:
C7. Other impacts (including changes in use of either quantity or type of ene	ergy)? Explain briefly:
WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHAR ENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly:	ACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICA
IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO P Yes No If Yes, explain briefly:	OTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
RT III - DETERMINATION OF SIGNIFICANCE (To be completed by Age INSTRUCTIONS: For each adverse effect identified above, determine the effect should be assessed in connection with its (a) setting (i.e. urban geographic scope; and (f) magnitude. If necessary, add attachments sufficient detail to show that all relevant adverse impacts have been identified by the determination of significance must evaluate the potential impact.	whether it is substantial, large, important or otherwise significant. E or rural); (b) probability of occurring; (c) duration; (d) irreversibility or reference supporting materials. Ensure that explanations con ntified and adequately addressed. If question D of Part II was chec
	nificant adverse impacts which MAY occur. Then proceed directly to the F
Check this box if you have determined, based on the information and ana NOT result in any significant adverse environmental impacts AND provi	lysis above and any supporting documentation, that the proposed action W ide, on attachments as necessary, the reasons supporting this determina
	2/28/07
Name of Lead Agency	Date
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer)





TOWN OF NEW WINDSOR

555 UNION AVENUE **NEW WINDSOR, NY 12553** (845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION(LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW **WINDSOR**" AS FOLLOWS:

RESIDENTIAL:	(Three Separate Checks Please)
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APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
**DEPOSIT FOR PUBLIC HEARING LIST:	\$ 25.00

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
**DEPOSIT FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
**DEPOSIT FOR PUBLIC HEARING LIST:	\$ 25.00

INTERI

**DEPOSIT FOR PUBLIC HEARING LIST:

PRETATION: (Three Separate Checks Please)	
APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST (PRELIMINARY) MEETING.

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE. MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

APPROXIMATE COST FOR PUBLIC HEARING LIST:

25.00

I -IO NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 160 NAMES IS \$1.00 EA. ADDITIONAL NAME

PUBLIC HEARING LIST OF PROPERTY OWNERS

- 1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. (NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY)

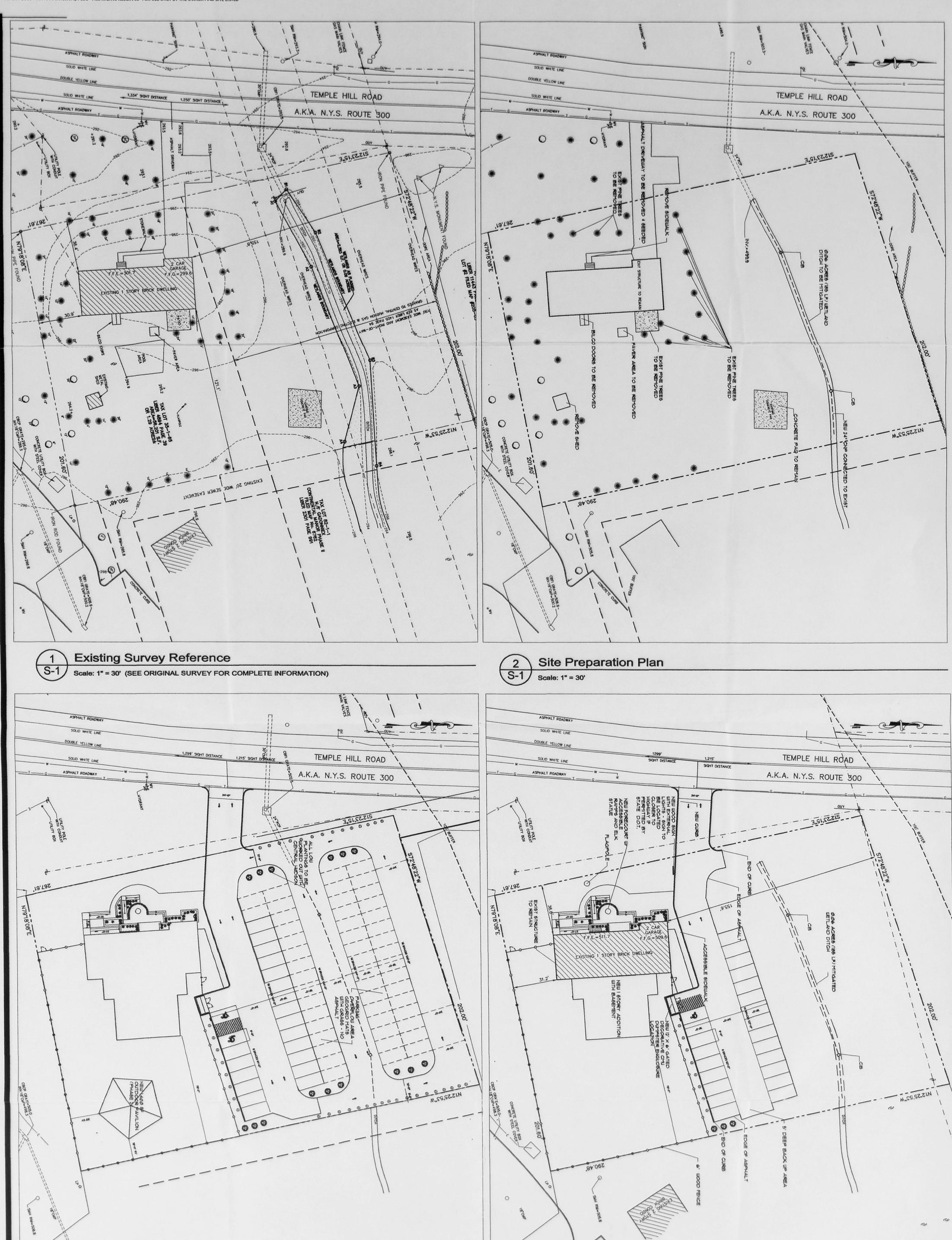
 MEETING. Please do not call the Assessor's Office looking for your list—they will contact you when it is ready or if necessary, call Myra at 845-563-4615.
- 2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE). BRING ENOUGH ENVELOPES PREPARED WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP WITH YOU....YOUR PUBLIC HEARING DATE WILL BE SET AT THIS TIME.
- 3. WHEN YOU COME IN TO PICK UP YOUR LIST, ALLOW YOURSELF ENOUGH TIME TO FINISH PREPARING THE MAILINGS HERE AT THE TOWN HALL. YOU WILL BE GIVEN ENOUGH "NOTICES OF PUBLIC HEARING" TO PUT ONE IN EACH ENVELOPE AND SEAL IT. (It may be easier for you if you bring self-sealing envelopes.)
- 4. BRING THE COMPLETED ENVELOPES TO THE ZONING BOARD SECRETARY FOR MAILING. BY DOING IT THIS WAY, WE AVOID HAVING TO SEND EACH ENVELOPE "CERTIFIED MAIL" WHICH IS VERY COSTLY.

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2

READ THIS PAGE CAREFULLY II



Proposed Site Plan - Phase 2

3 Proposed Site Plan - Phase 1
S-1 Scale: 1" = 30'





